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Contents

| | PAGE | | PAGE |
|--|------|--|------|
| EAST AFRICA | | HIGH COMMISSION TERRITORIES | |
| Royal Commission Report: | 1 | Mr. Strijdom's Remarks: Bishop of Johannesburg's Comments | 16 |
| The Highlands Bill | 4 | | |
| KENYA—Ministerial Changes: African Political Parties: Kenya Indian Congress: Need for Europeans to Re-examine Political Beliefs: Mau Mau Amnesty Offer Expires: Federation of Trade Unions' Resolutions | 4 | SOUTH AFRICA | |
| | 6 | Congress of the People: The Senate Act: | 16 |
| | 6 | Women of South Africa Take Action: | 17 |
| | 6 | Resignations from the United Party: | 17 |
| | 6 | Withdrawal of Co-operation Advocated: | 18 |
| UGANDA—Buganda Constitutional Discussions Continue: The Bunyoro Constitution | 7 | Mail Tampered With: University Segregation and Passport Refusals: Fort Hare Being Re-opened: Bantu Education: Group Areas Confusion: Withdrawal from U.N.E.S.C.O.: Jurists Condemn Apartheid: Churchmen on Apartheid: Call to U.S.A. and Britain: Opinions from the Federation: Simonstown | 18 |
| | 7 | | 19 |
| | | | 20 |
| | | | 22 |
| | | | 22 |
| | | | 23 |
| | | | 23 |
| CENTRAL AFRICA | | WEST AFRICA | |
| THE FEDERATION—Discourteous Treatment of Asian Diplomats: Kariba Migration: T.U.C. Liaison with South Africa: New Southern Rhodesian Member for African Interests: Immigration from Europe: African Affairs Board: Sir Roy on Dangers of Fear in Race Relations | 7 | NIGERIA—Foreshadowing the 1956 Conference: Developments in Higher Education: Western Region Rejects Lloyd Report: Comment on the Constitutional Dispute in Eastern Region | 23 |
| | 7 | | 24 |
| | 8 | | 24 |
| | 8 | | 25 |
| | 8 | GOLD COAST—Dr. Nkrumah and the Ashanti: Ashanti Representative in London: Minister of Trade and Labour Visits London | 25 |
| | 9 | | 26 |
| NYASALAND—Constitutional Changes: Protest Against Federal Budget: Over-Population in Nyasaland: Increased Tobacco Production by Africans Wasted: Archbishop of Canterbury's Statement Refuted: New Asian Legislative Councillor: Open Prisons for Africans | 9 | TOGOLAND—Elections in French Togoland | 26 |
| | 10 | SIERRA LEONE—Report of the Inquiry into Disturbances | 27 |
| | 11 | | |
| | 11 | OTHER AFRICAN TERRITORIES | |
| | 11 | BELGIAN CONGO—Africans' Advance | 27 |
| NORTHERN RHODESIA—Advancement of African Mineworkers: Change in Trade Union Laws: Reduction in African Employees on Mines Forecast: Committee to Investigate Racial Discrimination: Mr. Adlai Stevenson's Comments on African Advancement: African Education | 11 | COLONIAL AND COMMONWEALTH MATTERS | |
| | 12 | Debate in the House of Commons: Colonial Students in Britain: Students want Review of Situation in East and Central Africa | 27 |
| | 13 | | 30 |
| | 13 | | |
| | 13 | AMERICA AND AFRICA | |
| | 13 | Assistance for Community Development in Kenya: African Libraries Project | 30 |
| SOUTHERN RHODESIA—Africans and the Land: Offer of Land to Asians: African Unions in Mining Premature | 13 | | 30 |
| | 14 | | |
| | 15 | PAMPHLETS | 31 |
| SOUTH WEST AFRICA | | | |
| International Court's Opinion: South African Government's Views | 15 | | |

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EAST AFRICA

ROYAL COMMISSION REPORT

THE long-awaited East African Royal Commission Report¹ was published on June 9, 1955. The general tenor of the report was that the East African Territories could only base appreciable economic development on agriculture and that the present African subsistence agriculture, based on strict racial and tribal boundaries, was not a suitable medium for economic development. It made far-reaching recommendations in respect of land tenure.

A summary of the report appeared in *The Times* (June 10, 1955) as follows:

Terms of Reference

The terms of reference were, having regard to the rapid rate of increase of the African population of East Africa and congestion of population on land in certain localities, to examine measures necessary to be taken to achieve an improved standard of living, including introduction of capital to enable peasant farming to develop.

The commission were to take as a basis the general propositions contained in the Mitchell dispatch and were free to examine and comment upon policy in related fields such as education and public health. They were also to consider population trends. Finally they were enjoined to take account of existing obligations incurred by treaty agreement or formal declaration of policy in relation to security of land reserved for different races and groups in various parts of the territories concerned. In view of the controversial questions raised by the last clause, which seemed to many at the time to be somewhat vaguely phrased, the commission have prefaced their report with a chapter on the interpretation of their terms of reference.

Land Tenure

In the chapter on tenure and disposition of land the commission make clear their views on this subject. Policy should aim at the individualization of land ownership, that is to say at substituting private ownership for the customary African system of clan or tribal ownership. But a policy of land reservations and of safeguarding sectional interests, even when these may conflict with those of the community as a whole, is the antithesis of such a recommendation. They wish to eliminate the idea of security based on a policy of reservations and to replace it by the conception that greater security rests in the guaranteed recognition of private interests in land.

Where a reservations policy is not supported specifically by provisions in the law, but only by declarations, the change in policy must be demonstrated in word and deed. Where it is supported by treaties and agreements they do not believe it to be part of their duty to consider how and when the barriers to the implementation of that policy can be removed.

They criticize the existence of watertight compartments between the indigenous people and the settler, which is apparent in Tanganyika as well as in Kenya. The retention of land in the Highlands of Kenya for purely European use makes the Europeans appear as a tribe hanging on to their tribal territory

instead of pooling it for the common territorial need. It depicts the European as a political *bloc*. It is important to realize that the commissioners are not criticizing the White Highlands alone. It is the whole system of parcelling out land to tribes and races which they attack. They believe that a system of private ownership would restore in a modern manner the mobility of African population in relation to the land which existed before all these rules and regulations were made.

They have one specific recommendation to make with regard to the White Highlands. They consider it wrong that the African farm labourer should be tied to a particular farm because he has nowhere else to live. He should be able to offer his services at will. The Government should therefore "purchase, or if necessary compulsorily acquire, land in suitable places in the Highlands for the purpose of enabling farm workers to rent village dwelling plots on long leases on which they would build houses for their families". These plots should include allotments for food growing.

On the subject of Native land the commissioners endorse the present policy of the Kenya Government of consolidation of holdings. Although the commission believed in doing away with Native reserves, they consider it to be necessary to exercise control over transfers of land agreed between persons of different races.

Population

The commissioners do not find that the statistical material available justifies apprehensions concerning an unduly rapid growth of population. There is no evidence that Africans are increasing as a whole at an annual rate of 2 per cent. Nevertheless, there has been an upward movement in the rate of natural increase. A growth of population is even necessary to increase the general standard of life in certain circumstances. Immigration still has a considerable effect on the total number of Indians, but this factor appears to be a declining one. It is recommended that facilities to the access of a knowledge of birth control be made available wherever demanded.

Production and Distribution

It is estimated that the *per capita* net product in East Africa is among the lowest in all African territories. Rising income standards involve the expansion of exchange economy and division of labour as between persons and regions. This process of change constitutes a threat to the tribal concept of economic social security which public policy should recognize. If modern economic institutions are to evolve they must be freed from the political authority of a tribe when it is obstructive.

Discussing the marketing and distributive system, the commission note that the growth of modern commerce in East Africa has been almost entirely due to the activities of non-Africans. The commission condemn the use of physical control of supplies by Government and restrictions on trade designed to protect Africans. In particular there is doubt whether the policy of the Uganda Government in restricting the number of cotton ginneries has been helpful.

Industry

Public expenditure on development projects should be concentrated on objects likely to yield immediate and reasonably certain results.

¹ Cmd. 9475, H.M. Stationery Office, 17s. 6d.

In the absence of new mineral discoveries, industrial expansion in East Africa depends in the main on the expansion of local territorial markets. This depends in turn on more efficient agricultural production. Non-Africans constitute at the moment the main sources of skill and enterprise, but they are not numerous.

Mineral Development

The actual development of mineral exploration and production cannot be taken as an indication of the mineral potentialities of East Africa.

Very little exploration has so far taken place. There is probably no single source from which surplus income can be so readily obtained as from successful mineral exploitation. It is of overriding importance to make conditions for exploration and exploitation attractive, and to this end the setting up of a single inter-territorial authority to be known as the East African prospecting and mining leases board is recommended. Taxation concessions by Colonial Governments are largely negated for United Kingdom companies by United Kingdom taxation policy. This retards development.

Communications

The East African Railways and Harbours administration should be constituted as an independent autonomous corporation whose share capital should be owned by the Governments of the three territories. This would divorce railway management from politics. An East African road corporation should be established.

Water

Lack of discovery or development of water is the major factor in preventing the use of otherwise productive resources. There should be a single department in each territory responsible for all water development except urban supplies.

Immigration

Africans are afraid of new immigration but the problem is not whether it should be permitted but the terms and conditions on which it should be allowed. It is essential for the infusion of capital and enterprise. No fundamental changes in existing arrangements are proposed, but supervision should be exercised by the Government, not by boards reflecting sectional interests as in Kenya.

Wages

Although there are reasons to believe that real wages have risen for the last 20 years it is to be doubted whether this increase has kept pace with the increase in other real incomes, such as the production of cash crops. African labour must be stabilized and severed from ties with the reserve.

The statutory minimum wage failed to cover the cost of living of the type of person to whom it was related in urban areas. In each of the territories there should be a national minimum wage with an area differential as in Kenya. An attempt to encourage trade unions on the British model would be likely to be a waste of effort for some time to come. Wage councils should contain a strong African element.

Education

Better and more widespread education is a prerequisite of a higher standard of living. Missions should not be encouraged to increase their responsibilities in education, beyond what is required for school, Government, and religious education. Teaching of Swahili as a second language is a waste of time. The teaching of English should start as low as possible. Independent schools should not be discouraged, but must be brought under proper inspection and control.

Towns are of recent origin in East Africa. Piecemeal measures such as the provision of a limited amount of good housing encourage an increase in population. Town conditions are deteriorating. Africans should be encouraged to own their own houses. Wages cannot be quickly raised to pay economic rents without serious injury to the economy of the country.

Racial Interests

Areas of land with high productivity are very unevenly distributed between the three territories. "The material benefits which would accrue to East Africa from a single regional endeavour to bring about development in the interests of the whole East African community cannot at present be attained owing to the inhibiting effect of racial and political interests. At the same time we would be failing in our duty if we did not point out the implications of failure to adopt this unitary approach. If for political or other reasons it is not forthcoming there will inevitably be a slowing down of the tempo of development in each and all of the territories, and this at a time when it is imperative to accelerate the process."

Where the interests of man and game conflict, the need of the former must be paramount.

The establishment is recommended of territorial land development boards which should not be representative of any sectional or racial interest. The desire to move from a communal to a western individual society grows slowly. The problem is that of gaining the acceptance and recognition of the people to change. Compulsion alone will not suffice, nor is it practical.

"The combined effect of a strong resistance to change on the part of the African, modified by an increasing desire to participate in the advantages which derive from the ideas and practices of the modern world, and of a strong protective urge on the part of official policy, has been to create a network of restrictions and controls which impede the progress which it is thought to attain . . . Removal of these restrictions would not by itself secure the desired result. What is important is to create conditions favourable to the exercise of these activities which make for progress."

Comment on the Report

The *Manchester Guardian* (June 10, 1955) described the commission's argument for breaking down barriers which hitherto gave a sense of equilibrium, as "stiff medicine" and added: "The prescription may be right, but it will take courage to swallow it; the same sort of courage which an industrial system needs in order to discard protective tariffs and confront a competitive world."

"Yet there are proper questions which it does not seem fully to answer. To countless individual Africans the security

offered by family land may be temporary, shrinking, and in the end illusory. But what else offers, even in the short run, any security at all? In this country, through a century of great industrial expansion, the workers lived always in the shadow of the workhouse; in East Africa there is not even the workhouse. Second, when customary tenure goes (as some day it must), will the tribal structure of society survive it? The tribe may be an outmoded society, but what will take its place, what else give a man a sense of community, of continuity, of social law? Will a fragmentation of people come in as the fragmentation of land goes out? Third, the report envisages as a regular thing the transfer of land between races. Is mutual confidence between races strong enough to-day to sustain, or even survive, the sale of more of what is now African land to a European or an Asian?"

After referring to the recommendations concerning the White Highlands, the paper concludes: "Many of the more liberal have already foreseen and would accept an innovation on these lines. Will the right-wing be able to shout them down? One must hope earnestly that it will not. The experiment of inter-racial government in Kenya is of crucial importance to East Africa; and if its opponents can use 'the threat to the White Highlands', or for that matter 'the threat to the Luo Land Unit', as a stick with which to drive the co-operators out, the hopes of the Commission will founder on another rock, not shown on its charts. It is common enough now to speak of the danger of political progress out running economic. There may be occasions when economics must wait a little for politics to clear the way ahead. These considerations do not detract from the fundamental soundness and value of the Commission's ideas, or of the many practical suggestion made. They may affect the timing of their realization."

The Times (June 10, 1955) referred to the report's "three revolutionary demands"—asking Africans to "throw open their tribal reserves to the operation of the market"; asking Colonial Governments "to change their attitude to African peoples, so that they shall cease to protect them from the operation of economic forces" and requiring "that all land shall be available for open sale"; and asking "white settlers to concede their own privileged position at a time when they are being attacked by African terrorists".

"Such revolutions (however impeccable the principles from which they derive) must be viewed with much caution. Some of the difficulty in East Africa is not the structure of the economy but the difficulty of the country. From parts of it nothing will ever be produced, everywhere water and rainfall are crucial. The destruction of a great part of the tribal structures will threaten to disrupt tribal loyalties and put in their place the perennial distress of the unassimilated urban proletariat. The demand for foreign capital and the expectation of foreign immigrants would not improve relations between Indians and Africans. To impose renunciation upon white settlers and to increase the rate of change when tempers are high and suspicions inflamed could have disastrous results.

"Much of the success of any plan, or change of policy, will depend upon the strength of the Colonial Service which, as the Commission points out, is not now being adequately recruited. Many of the Commission's suggestions will be welcomed, but no one would wish them to be pursued unless the risks they would raise can be controlled and the evident dangers avoided. The greatest evil East Africa faces to-day is poverty, and half-

measures will not end it. But the pace and impact alike of even desirable reforms call for the most careful scrutiny."

Comments from East Africa have on the whole been cautiously worded, and the four Governments concerned, as well as Parliament, are studying the report with great care.

Mr. Michael Blundell, the European Minister in Kenya, told *The Times* correspondent (June 13, 1955) that the background of the report was economic thinking which took little account of the complex social and political patterns of the communities in East Africa, and its recommendations would be hard to put into effect for many years to come. The recommendations that different tribes and races should be able to lease land in each other's areas would hardly at this stage be accepted by the African tribes. It was not just a question of the attitude of Europeans towards the leasing of land in the White Highlands by Asians or Africans. The Kamba would not want a Kikuyu to buy leases in the Kamba reserve, and so on.

He doubted, too, whether it would be practical for the African territories to give up economic self-sufficiency until many years of planning and development had gone by. There was always the danger of famine and, until a colony had developed its own economy sufficiently, it could not afford the risk of having to buy foodstuffs from abroad at prices which it probably would not be in a position to pay.

Finally, he felt that the commission had balked the main issue of whether or not the three East African territories had any sure future separately. They had pointed out the desirability of developing their economic resources regionally but, if they really thought, as he did, that this was the only way of building a stable and viable State in East Africa, it was disappointing that no definite recommendations had been made.

Sir Eldred Hitchcock, a member of the Tanganyika Legislative Council, said that in the report of the Royal Commission they had for the first time an authoritative and realistic assessment of the natural and human resources of East Africa, which were meagre. By themselves, he agreed, they were unable to provide a standard of living which had been too easily assumed. The recommendations, he said, appeared to be the pure "milk of the word"; on the whole they were necessary and salutary for all concerned. Of all the recommendations, he thought that concerning water supplies, as a major factor in preventing the use of otherwise productive resources, the most important and urgent.

He referred to the recommendation that land would be freely available, on terms to give a proper basis for security on which credit could be advanced, especially to the African, as fundamental. The freeing of the economy from administrative controls which hampered economic development and private initiative was no less important, even though controversial in the context of Africa.

In terms of the present principles of British administration, the recommendations were revolutionary. Sir Eldred Hitchcock continued. They constituted a serious challenge in policy to the administrations of the three territories. They raised difficult issues for the administrations, which were being expanded to cope with the supposed need for such controls. The need for attracting a wider range of immigrants, with "know how" at all levels, was essential, as was also the need for attracting risk capital from private and other sources.

Experience had shown in these matters that private initiative was more competent in building up an economy than a bureaucratic administration.

With regard to the tribal system, he did not entirely agree with the approach of the Commission. This system in Tanganyika and elsewhere had great authority and would contribute in an important way to the social and economic structure. It had serious political implications. Largely it was a matter of good timing.

THE HIGHLANDS BILL

Less than a week after the Royal Commission's report was published, the Legislative Council in Kenya gave a first reading to a Bill making further provision for European agricultural settlement in the Highlands.

Under the provisions of the European Agricultural Settlement Ordinance, 1948, all executive action was vested in the Minister (then the Member) for Agriculture. The European agricultural settlement board constituted by the ordinance was purely advisory. Land which was the subject of settlement was vested in the Crown, which alone could grant titles, though in practice the board played an increasing part in fulfilling the purposes of the ordinance. The Government has therefore decided that the Minister's executive functions should be transferred to the board. This, it proposes, should be incorporated and reconstituted.

Land now vested in the Crown and used for tenant farming and assisted ownership schemes would be handed over to the board. The reorganized body would consist of not more than 11 persons appointed by the Minister, and would continue to act as agent for Government departments in making and administering loans to farmers. If the Bill is approved, the present ordinance will be repealed. (*The Times*, June 14, 1955.)

Kenya

MINISTERIAL CHANGES

Mr. Michael Blundell has relinquished his seat on the Council of Ministers and his post as Minister without Portfolio to assume the portfolio of Minister of Agriculture in place of Major F. W. Cavendish Bentinck, who has retired. This appointment has been criticized by three of the five African members of the Legislative Assembly.

Mr. W. Mathu, Mr. M. Gikonyo, and Mr. W. W. Awori said they could not accept the appointment of an elected European member responsible to a European electorate, and added that they were also "completely dissatisfied" with the appointment of an African Parliamentary Secretary to the Ministry of Agriculture as a "compensating factor" for Mr. Blundell's appointment, particularly when the secretary would not have a seat on the Legislative Council.

The statement declared that the other African unofficial members in the Government, Mr. B. A. Ohanga, Minister for Community Development, and Mr. J. Jeremiah, Parliamentary Secretary to the Minister for Local Government—were "advised to resign" when the Government refused a demand to appoint a second African Minister. "But they did not find it fit to take our advice." They had "let down" the African Unofficial Members' Organization previously when they accepted their present posts under the "Lyttelton plan" for

multi-racial Government. The remaining African unofficial members, the statement added, were therefore compelled to form a new organization which would not include them. (*Manchester Guardian*, July 4, 1955.)

AFRICAN POLITICAL PARTIES

The Kenya Government has announced that it has decided to withdraw its emergency ban on African political organizations.

The decision follows discussions with African unofficial members of the Legislative Council, and is designed to ensure that political association grew from the bottom rather than spreading from one central organization at the top. It is two years since the Kenya African Union, formerly led by Jomo Kenyatta, was declared an unlawful society because it was being used to spread Mau Mau doctrine.

The Government announcement says that the present proposals will, it is hoped, encourage "a simple and orderly development of African political life". Political organization will be based on district associations, each with its own constitution. It is envisaged that these will lead to the formation of conventions of district associations in each African representative area.

At a later date the principle of convention would be extended to provide for a central convention of district political associations. This would be when the area conventions had "solved some of the problems likely to arise in connection with the representation of the areas of the different tribes and of the widely varying levels of economic advancement".

The announcement contains a warning that it will not at present be possible for a full system of district associations to operate in the central province (that is, Mau Mau affected areas). It is, however, proposed that a modified system should be introduced there for the express purpose of ensuring a proper means of the expression of the political views of loyalists.

There was general support in Nairobi for the Government's plan. The decision has been particularly welcomed by the leader of the African unofficial members, Mr. E. W. Mathu, who expressed the hope that there would be "no undue official pressure" which would have the effect of making the proposals abortive. He said: "We are afraid of anything that would drive the organizations underground. After they are registered they must be given free expression."

The view of the Asian community was put by the Minister without Portfolio, Mr. A. B. Patel, who said that he had always believed it essential there should be some channel for the public expression of African political opinion.

A European-elected member, Mr. N. F. Harris, said that the proposals would allow for district and tribal representation on a basis of equality, and would prevent the abuse—inherent in the proscribed Kenya African Union—of domination by one tribe for subversive purposes. (*The Times*, June 22, 1955.)

KENYA INDIAN CONGRESS

The Kenya Indian Congress has issued a statement of policy which it considers likely to be acceptable "to the vast majority of the Africans". From that document the following passages are quoted:

"The ultimate form of society envisaged by Congress will be based on the following principles:—

"(1) It will enjoy self-government within the Commonwealth, and the Government will be composed of Ministers elected on a common roll and responsible to a popularly elected Legislature.

"(2) It will have a common roll on the basis of adult franchise.

"(3) There will be no discrimination on the grounds of race or religion.

"These should be the ultimate aims. Congress feels, however, it will take time to achieve them. Meantime, Congress appeals to the various racial groups to get together and formulate a programme of progress by mutual consultation. Congress will always be willing to co-operate with other groups in this task.

"Any proposals for the transition period should have in view the two needs of Kenya: (a) All changes in constitutional and administrative policy must be directed towards the attainment of the ultimate aims stated above; (b) there is need to protect the indigenous population until it is sufficiently strong to protect its own interests.

"Congress envisages the disappearance in law and in practice of all forms of discrimination on the grounds of race, religion or sex (except in respect of African land units).

"It is necessary by law to protect the economic and political interests of the indigenous people. This protection should continue until the African community reaches a level of progress enjoyed by other races. Congress believes that the interests of the African community should be protected so long as the income of the average African remains below the income of the average non-African; and so long as the educational attainments of the average African remain below those of the non-African.

"Congress thinks that as a first step all ordinances and other laws, so far as they discriminate against any racial group, should be repealed. Steps should be taken to abolish discriminatory laws and practices, except of course those which protect the African.

"Discrimination in all walks of life on the grounds of race, religion, or colour should be abolished by law.

"The present distribution of seats on the Legislative Council is unjust to the non-European communities. The recent statements of policy issued by the European political parties clearly show to the non-European community that the Europeans have no regard for the legitimate aspirations of non-Europeans.

"It has therefore become imperative and a matter of urgency that the three major communities should have equal representation on the Legislative Council. This is the first step which must be taken immediately. We, however, wish to state that this is only a stepping-stone to the introduction of common roll, which will have to be introduced in stages as follows:—

"Side by side with the existing communal rolls, a common roll based on restricted franchise should be introduced. The qualifications for this common roll should be a reasonable standard of education and (in the case of males only) an annual income of £100 or occupation of property of the value of £200. It should be compulsory for all persons who have the common roll qualifications to register on the common

roll. As soon as a person so registers, his name should be deleted from the respective communal roll.

"The need for common roll can hardly be over-emphasized. So long as elections are based on communal rolls, candidates having a policy to the imagined good of their own race, irrespective of the same policy being prejudicial to the other races, have better chances of being elected than others."

Pointing out that the sympathies and policies of European Ministers who had been originally elected by a European electorate "are likely to be in favour of the local European community," Congress adds that "as a next step an equal number of Ministers should be appointed from the three main races in the Colony.

"There should not be a too rigid insistence on the type of portfolio to be held by Ministers from racial groups, and important portfolios should be equitably distributed among the different races."

With regard to land, Congress states: "Land is undoubtedly the most important problem in Kenya, and on its solution depend good race relations, indeed peace in the Colony. Europeans justify the reservation of the White Highlands by their contention that they alone are good farmers. There is ample evidence that this claim is not borne out by facts.

"Even if their claim were justified they are quite inconsistent in refusing to accept the rights of other races to own or lease farms if they happen to be as good or better farmers than themselves. The principle of reserving land for the immigrant races must be abolished. They certainly have none of the disabilities which makes protection of the African land units necessary.

"Congress considers that the reservation of the Highlands is a political and economic anachronism. Land should be an agrarian matter, not a political or a racial problem. Congress does not suggest that land owned by Europeans should be expropriated. Land not properly developed should be bought by Government and made available irrespective of race. There should be no restrictions on the basis of race on the disposition and occupation of land, and in this regard the composition of the Highlands Board should be changed to give effective representation to other races.

"There should be strict supervision over methods of cultivation, with provisos for the reversion of the land to Government if cultivation does not attain a proper standard.

"Government should start common schools and common hospitals, and should increase the number of such common institutions as funds become available. The aim should be to bring nearer the day when all schools and hospitals shall admit persons of all races. On this rests much of the hope for closer understanding between the races in future.

"Congress is convinced that the absorptive capacity of the Colony has reached nowhere near saturation point. In considering applications for immigration passes or permits the needs of the Colony as a whole should be kept in view, and the race of the applicant should not be given any weight.

"No political union with other East African territories should be considered until Kenya gets away from the racial basis of politics and until such union is freely accepted by the people of the other territories.

"Federation with Central Africa is out of the question, because Central Africa is already committed to a policy of

racial segregation which is not acceptable to the non-European peoples of Eastern Africa." (*East Africa and Rhodesia*, June 2, 1955.)

NEED FOR EUROPEANS TO RE-EXAMINE POLITICAL BELIEFS

The *Kenya Weekly News* (June 10, 1955) discussed the abandonment of the doctrine of paramountcy of native interests expounded in the Devonshire White Paper of 1923 and went on:

"During the past year the European community of Kenya has faced no less radical a change of the political picture than occurred in 1923. Last Friday an article by the Colonial Correspondent of *The Times*, who is at present in Kenya, described the change in these words:

"Put bluntly, the issue in Kenya until quite recently was between white domination and the multi-racial state. Today the issue is between the multi-racial state and African nationalism. Only the zebra and the dark horse are left in the field.

"The Europeans, as a whole, have begun to realize this situation. The split between them today is no longer between those who see and those who are blind to the inevitable. It is between those who are prepared to live with it and those who are not. Multi-racial education, for instance, would be much more likely to cause a European efflux than all the physical threats of the Mau Mau."

The editorial then referred to statement by the Archbishop of Canterbury to the effect that "I have seen enough (in Kenya) in six weeks to convince me that the deepest divisions are not between Africans, Europeans and Asians, but those between men and women, whatever their race, with a co-operative spirit and creative good will on the one side, and those on the other side who distrust change, distrust the future, and misdirect their energies to unconstructive ends."

It continued: "Clearly, the European community is faced with a period of change so rapid that it is exceedingly difficult, even for those in the closest touch with public affairs, to assess its full significance. All around Kenya, and even within Kenya, the forces of African nationalism can be checked by process of repression. It may be possible, for a short time, to sit on the safety valve of the boiler until it explodes; but that is a policy more certain to lead to disaster than anything else. Nor would anything be achieved by a policy that attempted to unite the European community in blind opposition to change.

"The need, today, is for a re-examination of the political beliefs and convictions of the European community. There will be some who are not prepared to live in a country which is changing so rapidly away from the old days and the old ways. There will be a few who seek to travel too fast. Both should mark the words of the Archbishop of Canterbury.

"There is also a need for a greater measure of realism in the political expression of the European community. It is easy enough to draft a policy to which the majority of the Europeans would subscribe; but the real task is to design a policy to which the sound elements amongst the African and Asian communities would also subscribe. If the Europeans claim to be leaders in Kenya, they must, above all else, attract a following that is not solely white. It may soon be too late to do so; for time is not on our side."

MAU MAU AMNESTY OFFER EXPIRES

The period allowed to Mau Mau terrorists to surrender under the "amnesty" terms announced by Sir Evelyn Baring, the Governor, on January 18 expired at midnight on Sunday, July 10.

Reports from all over Kenya showed that when darkness fell surrenders numbered 959, including 60 during the week-end. No more were expected after dark. The land of those who failed to take advantage of the surrender terms will now be confiscated, and intensified military operations will begin to clear them from their forest lairs

The Government is reluctant to make public its estimate of the number of terrorists who remain at large. It seems probable that the figure is in the region of 3,000. Nearly three times that number have been killed since the beginning of the emergency, but that does not imply that the security forces' task will now be easy. As the gangsters' numbers dwindle, the difficulty of finding them in the dense forests is correspondingly greater. Lieutenant-General Lathbury, the Commander-in-Chief, is organizing new training methods in which he is using trained trackers and jungle fighters, both European and African. (*The Times*, July 11, 1955)

FEDERATION OF TRADE UNIONS' RESOLUTIONS

The annual conference of the Kenya Federation of Registered Trade Unions (membership 55,000) decided to submit resolutions to the fourth World Assembly of I.C.F.T.U.

The resolutions would relate to "the Emergency, conditions for the Colony's agricultural workers, help for Kenya unions and the removal of forced labour in Kenya and detention without trial."

The movement, though primarily non-political, has listed what it calls "basic problems" which the I.C.F.T.U. has been asked to press for solution.

Land in the White Highlands owned by Government and leased for 999 years is open only for the use of European settlement, the movement points out. It adds, the Africans have no political organizations; the present African members of the Kenya Legislative Council are appointed by the Governor; and there is a colour bar in Kenya operating against Africans and to a lesser extent Asians.

"It is difficult", states the resolution, "to look to any lasting peace or settlement of the basic problems in Kenya until these grievances are settled in the interests of the majority of the Kenya population—the Africans themselves."

In another resolution to be debated by the fourth World Assembly in Vienna, the I.C.F.T.U. has been asked to make representations against working conditions prevalent in agricultural undertakings in the Colony. Particular stress has been laid on the inadequacy of housing, low wages, shocking living conditions, lack of educational facilities, inadequate sanitation, all of which the Federation has described as "a disgrace to humanity."

Most important of all is that which relates to "forced labour" and detention "without trial" of African workers.

The Federation points out that "in Kenya thousands of men and women have been detained and are held in detention camps without having had the basic minimum privilege of having their case tried before any sort of court."

The resolution adds that these same persons are being "forced to work" and the Confederation has been called upon

to ask I.L.O. to conduct an "investigation into the practices now in operation in Kenya" of imprisonment without trial and forced labour. (*Jana*, Ceylon, June, 1955)

Uganda

BUGANDA CONSTITUTIONAL DISCUSSIONS CONTINUE

THE Lukiko delegation in London to discuss the return of the Kabaka, and the Lukiko constitutional drafting committee¹, have continued their work in London. Sir Andrew Cohen, Governor of Uganda, after interrupting his leave for a short visit to Uganda, has taken part in some of the discussions with the Colonial Secretary. A delegation from the Uganda National Congress has also visited London to campaign for self-government by 1960.

With regard to African opposition to the appointment of an Asian Minister², a committee of 20 Asians drawn from the main Asian community has been set up to safeguard their interests. The committee includes Asian members of the Legislative Council, among them Mr. A. M. Maini, former Mayor of Kampala.

THE BUNYORO CONSTITUTION

The constitutional proposals drafted by a committee of the Bunyoro Council, the Rukurato, in consultation with the Mukama, with Sir Keith Hancock and the Governor and other officials of the Uganda Government, have been accepted by the Rukurato and now await the approval of the Protectorate authorities and the Colonial Office.

The *Kenya Weekly News* (June 10, 1955) described the background to this agreement: "Although a Protectorate was declared over Bunyoro in 1896, two years after Buganda, Mukama Kabarega's resistance to the British had already resulted in a great reduction of the size of the kingdom. It was not until 1933 that Bunyoro was able to enter into an agreement with the British authorities similar to those signed by the other kingdoms of southern and western Uganda at the dawn of the century.

"The 1933 Agreement, with a few more recent and minor amendments, is still in force. It was signed by the present Mukama and the powers which he exercises under the terms of the Agreement are considerable, particularly in respect of the formulation of local government policy and the appointment of local government officials. The Agreement allowed for an advisory council, the Rukurato, with a majority of its members appointed by the Mukama, but it could only discuss matters referred to it by the Mukama who is the chief executive officer of the local government . . .

"The new Agreement is in many ways a simplified version of the Namirembe recommendations for Buganda. Basically it proposed to convert the Mukama into a constitutional ruler while the responsibility for formulating local government policy in his name is to devolve upon the Rukurato, consisting of 74 members of whom 52 would be elected. The Katikkiro, hitherto appointed by the Mukama with the approval of the Governor, is to be elected by the Rukurato before the two other steps are taken. The other important chiefs whom the Mukama now appoints with the Governor's approval would

first be recommended by an appointments committee of the Rukurato. By these means the Mukama would be removed from a possibly dangerous political prominence while his subjects would be able to take a more active part in the conduct of local affairs.

"The comparative ease with which the new Agreement was accepted by the Rukurato with an overwhelming majority is indicative of a number of things. First, it is clear that the Bunyoro 'Hancock' Committee has taken great care in drafting the wording of the Agreement. Second, the fact that the Mukama himself participated in the discussion carried great weight with a people to whom monarchy has something sacred about it. Third, there clearly exists in Bunyoro a lively group whose interest in the development of their district along modern lines is both intelligent and sincere. Fourth, and perhaps less impressive, there is quite a large proportion of older men who are not particularly interested in the constitutional situation and who are rendered passive by their nostalgic recollections of Bunyoro's former greatness."

CENTRAL AFRICA The Federation

DISCOURTEOUS TREATMENT OF ASIAN DIPLOMATS

FOLLOWING on a speech by the Prime Minister, Lord Malvern, in which he deplored discriminatory attitudes towards Indian and Pakistan diplomats, the Interracial Association of Southern Rhodesia stated: "The discourteous treatment accorded to diplomatic representatives of India and Pakistan is only a reflection of the discourtesy which is the daily lot of innumerable non-European citizens of the Federation."

The Interracial Association says it applauds the Prime Minister's statement, adding that "it has evidently been well known for a long time that the diplomatic representatives of India and Pakistan were being subjected to numerous petty slights and indignities. It is a profound pity that our authorities have until now turned a blind eye to these circumstances, allowing them to accumulate to intolerable proportions." (*Sunday Mail* (Salisbury) May 8, 1955).

KARIBA MIGRATION¹

Officials of the Northern Rhodesia African National Congress and representatives of Africans who will have to be moved when the Kariba dam is built, are meeting about 18 miles from Monze.

The Congress officials are the general president, Mr. Harry Nkumbula, and the general secretary, Mr. Kenneth Kaunda. The congress recently took legal advice on the movement of Africans as a result of the construction of the Kariba dam. Mr. Nkumbula said the move will be resisted.

Northern Rhodesia's Secretary for Native Affairs, Mr. W. F. Stubbs, has said that the movement will require the approval of the Colonial Secretary and then it will be the responsibility of the Northern Rhodesia Government. (*Rhodesia Herald*, June 28, 1955).

¹ See Digest Vol. III, No. 1.

² Ibid.

¹ See Digest Vol. III, No. 1.

The *Central African Post* (May 27, 1955) said: "Briefly the difficulties are that the Federal Government, should it wish to move the Tonga tribesmen living in the native reserve land, will have to approach through the territorial government the British Government and request a special Order-in-Council (to vary) the boundaries of the African-occupied land. The variation will be the extent of the Kariba Dam lake encroachment. Advance guesses are that it will be 100 miles long and 32 miles at its widest—Africa's largest man-made lake.

"But the Northern Rhodesia Crown Lands and Native Reserve Order-in-Council lays down that power is given to adjust reserve boundaries with the approval of the Colonial Secretary. A provision adds that 'no such adjustment may materially affect or diminish the area of any native reserve.'

"The position is therefore that even with the consent of the Colonial Secretary the Territorial Government cannot compel the movement of the African population from the Kariba area, since this would materially diminish the reserve. The Native Authorities can make representations to the British Government. There is nothing to prevent them making such representation direct."

T.U.C. LIAISON WITH SOUTH AFRICA

Regular Liaison between the Trade Union Congress of the Federation and the South African Trades Union Council was agreed to in Bulawayo on May 28 at the Federal T.U.C. meeting. The liaison was suggested by Mr. T. C. Rutherford, president of the South African T.U.C., and information of the acceptance of the suggestion was contained in a statement issued when the meeting ended its sitting. The statement said that the policy of the Trade Union Congress towards African advancement should be that it recognised that each trade union must deal with the subject according to the circumstances and that each affiliated organisation be asked to report accordingly. If affiliated organisations reached deadlock on any problem they would submit the matter to the general council of the congress.

The way in which liaison between the Federal Trades Union Congress and the South African Trades Union Council would operate was explained by Mr. Maurice Went, general secretary of the Rhodesia Railway Workers' Union. Mr. Went said there would be a regular exchange of the minutes between the two governing bodies, the general council of the Federal T.U.C. and the parallel body of the South African T.U.C. Each organisation's annual meetings would be attended by a delegation from the other, and if any particular problem arose on either side the other organisation would be informed and arrangements made to send a suitable delegation for discussion of the matter. (*Federation Newsletter*, June 16, 1955).

NEW SOUTHERN RHODESIA MEMBER FOR AFRICAN INTERESTS

Mr. H. E. Davies, a Bulawayo advocate, was selected by the Federal and Confederate Parties, to fill the vacancy resulting from the death of the Rev. P. Ibbotson—that of Southern Rhodesia's specially Elected European Member. His name was not among those of 16 Europeans—men and women—put forward by the African Voters' Truce Committee and other groups of Africans as having their approval. How-

ever the Truce Committee later officially accepted Mr. Davies but alleged that the Federal and Confederate Parties had "not played the game in the matter".

Mr. Charles Mzingeli, a well-known African, resigned from the Truce Committee in protest at the failure by the Federal and Confederate Parties to take the Africans into their confidence and to discuss the names put forward in a friendly manner.

IMMIGRATION FROM EUROPE

On May 13, 1955, the *Central African Post* reported that the Rhodesian Immigration Institute aimed to increase the population of the Federation to 40 million by the end of the century by "very large scale immigration." If their target of both 20 million Europeans and Africans is reached, the Institute says all the inhabitants of the Federation could "be enjoying a standard of living comparable with that of any nation in the world".

A hundred skilled building workers are being selected in Western Europe now to become the first immigrants to the Federation under the auspices of the Intergovernmental Committee for European Migration (I.C.E.M.) of which the Federation recently became a member. The first of the artisans are expected to arrive, probably by air, early in September. (*Sunday Mail*, June 19, 1955).

The earning ability of the African must be increased, or within 25 years the European population of the Federation, even with the most optimistic expectations of a successful immigration programme, will be unable to bear the burden of taxation which will fall upon it.

This view was expressed by Mr. Frank Owen, Federal Minister of Home Affairs, making his first official speech since his appointment to Cabinet rank. The African must be lifted up so that he could pay his proper share for the amenities he would be demanding, Mr. Owen said. Speaking of immigration trends, he added that judging by the number of residence permits issued last month, nearly 25,000 immigrants would come into the Federation this year, increasing the European population by 11 per cent. (*Rhodesia Herald*, June 21, 1955).

Mr. J. H. Lascelles, executive vice-president of the Rhodesian Selection Trust Group, said that apart from importing skilled labour, the Federation must develop the skills dormant in its own population. These dormant skills must be developed from both white and black. (*Rhodesia Herald*, June 21, 1955).

AFRICAN AFFAIRS BOARD

No notices, orders or other instruments published by the Federal Government since February 3, 1954, were found to be of a differentiating nature. This is stated in the first report of the work of the African Affairs Board, which was tabled in the Federal Parliament by the Deputy Chairman, Sir John Moffat, the Specially Nominated Member for Northern Rhodesia.

Sir John said the Committee considered all Bills introduced during the first session of Parliament. In discussion with the Minister concerned one clause of one Bill appeared to have the practical effect of a differentiating measure as it was then

¹ On March 16 their target was stated to be 3 million Europeans. See Digest, Vol. III, No. 1.

worded. The Minister readily agreed to an amendment which clarified the position. During the first session the Committee met 55 times. (*Rhodesia Herald*, June 29, 1955)

SIR ROY ON DANGERS OF FEAR IN RACE RELATIONS

Sir Roy Welensky, the Deputy Prime Minister, addressing the B'nai B'rith lodge, a Jewish body, said that there is very little difference between the concept of the *herrenvolk* expressed by Hitler in his Third Reich and the belief that, because of the colour of his skin alone, the white man must be the superior of all non-white men.

He added that to keep the demands of the African within the bounds of reality was going to be a hard task. It would however, be made no easier if fear was allowed to govern the European's dealings with the African. To a large extent, it was fear that governed those who attempted to assert their supremacy by imposing restrictions on those they thought might compete with them.

"Just as fear breeds fear", said Sir Roy, "so it will become necessary to erect defence after defence against the black man, and it would not be unfair to say that the harshness of a Fascist State becomes inevitable, if the position is to be held. It is beyond the bounds of possibility to expect peace in a land in which one section of the people goes forward while another is not allowed to go beyond a certain point

"And so because I do not believe that the white man will retain his leadership for ever by restrictive measures such as these—nor does he have to try—and also because I believe that his own progress and prosperity are bound up with those of the African, I reject this as a pattern for the future of our country." (*Rhodesia Herald*, June 22, 1955)

Nyasaland

CONSTITUTIONAL CHANGES

THE proposals for constitutional changes put forward in February¹ by the Governor of Nyasaland, have been accepted by the British Government, despite opposition from the African, European and Asian communities there.

The Colonial Secretary, Mr. Alan Lennox-Boyd, stated in the House of Commons: "I do not consider that the time has yet come for the inclusion of an African on the Executive Council. I have considered very carefully the suggestions for parity on the Legislative Council. The immediate practical effect of having a sixth African member would be slight, for there is to be an official majority over all unofficials and it is, I think, generally agreed that this should be so.

"In Central Africa, parity—and, in this context, we mean parity between Africans and non-Africans and not the parity between three races which we have in Tanganyika—has become a sort of magic word, conjuring up all the emotions on which racialism thrives. I believe that if we introduce now something which could be called parity we should stir up these emotions and all our hopes of real progress along the lines I have outlined above would rapidly fade away. I have decided, therefore, that my original proposals should be put into effect. This means that there will be an increase in the total member-

ship of the Legislative Council from 21 to 23. There will be twelve Official members, including the Governor; six non-African unofficials, and five African unofficials. The non-African members of the Legislative Council will be elected on a non-African electoral roll by constituencies.

"The African members will be elected by the African Provincial Council instead of being selected by the Governor, as hitherto, from a panel of names submitted to him. There will be no change in the composition of the Executive Council." Non-African members of the Legislative Council will be elected temporarily according to the regulations used in the Federal Elections, pending consultations with regard to the necessary qualifications. The qualifications in the Federal Elections in Nyasaland were that the voter must have been in receipt of income of not less than £200 a year, or occupied property valued at not less than £250.

Other qualifications for voting outlined by the Governor in February were: to be a British subject, to have two out of three years' residence, to be over 21 and to have an adequate knowledge of English.

The life of the new Legislative Council will be for four years.

Reports from Nyasaland indicate that all three communities are still opposed to these proposals. The Nyasaland African Congress cabled the Colonial Secretary: "Nyasaland African Congress protests in very strong terms against constitutional changes announced by the Secretary of State for the Colonies. Constitution perpetuates doctrine of white supremacy and places Africans in position of inferiority on their own soil. Denial of parity for Nyasaland is a reversal of British policy for Protectorates which are African states and refusal to grant franchise is direct enslavement of African people. Abhors illogical and unreasonable statement that time not ripe for Africans to sit on Executive Council which is without foundation and is based on prejudice and partiality to maintain white supremacy in the Protectorate. Convinced Colonial Office pandered to manoeuvres by astute Federal Government politicians. Reiterates original demands for parity and franchise on separate African voters' roll. Congress demands your immediate presence in the Protectorate."

The *Rhodesia Herald* (June 17, 1955) reported that the Nyasaland Association (European) held a meeting to protest against the rejection of its request for "constitutional stability". The association said the changes would lead to a continuation of the purely racial approach to politics, and to an uncertain economic future. They would retard the development of Nyasaland . . .

Mr. Manoah Chirwa, Federal M.P., wired the Colonial Secretary through the Governor, protesting against the changes. He said: "Your decision influenced by interference from the Federal Government. It reveals British Government's plan to surrender all our rights to European minority settlers. Your decision is arbitrary oppression and undemocratic." Mr. Chirwa reiterated the Africans demand for parity on the Executive and Legislative Councils and for adult suffrage.

In a later Press statement he said the changes had been received with the greatest disappointment. "Britain finds herself weak and unable to resist the manoeuvres of the Federal Government. This is a repetition of what took place in the Union."

¹ See Digest Vol. II, No. 8.

He alleged that the British Government intended to hand over the rights of the African to the European minority. Mr. Chirwa added: "The Colonial Secretary would be well advised to listen to our demands. He should visit Nyasaland immediately to explain his actions."

Mr. Sattar Sacranie, Asian leader, said the Colonial Secretary's decree that the Legislative Council should have a life of four years was "most unrealistic".

Mr. Sacranie, who is president of the Nyasaland Asian Convention, said more time was needed to show if the changes worked. But changes meant that Europeans and Asians would have to come together and create stronger bonds. "You cannot clap with one hand," he said.

The Federal Prime Minister, Lord Malvern, when asked whether the Federal Government had been consulted about the changes, said: "I do not think it would be in the public interest to say what the Government's attitude on these changes was . . . It was arranged in London that we would always be consulted before such constitutional changes were made, but being consulted does not necessarily mean that you can effect any alteration to proposals." A disclosure as to whether the Federal Government's representations had met with success or failure would only lead to recriminations from members of either one race or the other. These recriminations would not serve any useful purpose and might do a lot of harm.

In an editorial, the *Rhodesia Herald* (June 17, 1955) referred to Mr. Lennox-Boyd's remark that "there must be eager—indeed adventurous—searching after some new form of constitutional arrangement which will assure security and opportunity to all, and will at the same time be less likely than the present system to foster a purely racial approach to policies". The paper commented: "This is all very well but what is most needed to-day in the interests of the whole Federation as well as Nyasaland, is stability which will give confidence to enable the economic development of the territory to go forward unhampered by political ferment caused by hopes of further change."

The *Observer* (June 19, 1955) commented: "Nyasaland is a territory where the proportion of Africans to others is two hundred to one. The Colonial Secretary has rejected the Africans' modest request—for parity in the Legislative Council—between themselves and the handful of resident non-Africans. His explicit reason is that to grant this request would stir up racial emotions elsewhere in Central Africa. How much he was influenced by the known hostile opinions of the settlers, who constitute the Federal Government of Central Africa, is, of course, not known. Mr. Lennox-Boyd admitted feeling uneasy about the new Constitution: he said that he looked forward to an 'adventurous searching' for some new form of constitutional arrangement which would avoid a purely racial approach to politics. There is no difficulty in finding constitutional forms not based on race. What is difficult in Central Africa is to find a way of overcoming the opposition of the non-Africans to accepting them."

The Africa Bureau Executive Committee issued the following Press statement:

"Although the Colonial Secretary, Mr. Alan Lennox-Boyd, expressed his misgivings about the new constitution for Nyasaland when he announced its details, his decision to reject the Africans' demand for parity of representation in the Legisla-

tive Council and for representation in the Executive Council is, in our view, bound to make an eventual political settlement more difficult. Mr. Lennox-Boyd frankly admitted that his refusal to give the Africans six, instead of five, seats in the Legislative Council was solely due to his rejection of the principle of parity of representation for Nyasaland as he believed it would stir up emotions on which racialism thrives. In fact, by rejecting parity, the Colonial Secretary has virtually ensured that the African moderates, who presented it as a minimum demand, are now likely to have little option but to take up again their previous demand for an African majority in the Council. The chief danger is that although the Colonial Secretary wisely advocated the need for a new kind of constitutional agreement 'less likely than the present system to foster a purely racial approach to politics', his chances of obtaining such a solution have been made more difficult. Therefore, in view of the situation now created, we urge on him that no time should be lost to try and devise some better constitution. We suggest that he should urgently consider appointing an impartial expert, as was done in the case of Buganda, to formulate a constitution that does not rely on racial representation and to examine possibilities of an electoral procedure which would not apply only to the small minority of immigrant races. This report should be submitted by the Colonial Secretary for full public discussion to African and non-African organizations."

PROTEST AGAINST FEDERAL BUDGET

The *Times* (July 6, 1955) described the storm of protest from Nyasaland against the recently introduced Federal Budget and said this "reminds the world that the junior partner in the Central African Federation is still apt to think that its special needs are easily overlooked. The Nyasaland constitutional changes announced by Mr. Lennox-Boyd last month satisfied neither Europeans, nor Africans, nor Asians—which need not condemn them, for it was necessary to compromise between three mutually incompatible claims; but it is significant that the African leader, disappointed of his hopes for immediate parity of racial representation, charged the Colonial Secretary with having been influenced by the interference of the Federal Government."

"The budget proposals which have caused the present discontent arise out of the recent trade agreement between the Federation and the Union of South Africa, which again can be represented as more obviously benefiting the two larger territories than Nyasaland, the most remote from the frontier with the Union. Substantial fiscal concessions have been made to the Union, and the revenue sacrificed has to be made up by tariffs on other trade. The particular duties imposed, it is complained, hit the industries of Nyasaland unfairly hard."

OVER-POPULATION IN NYASALAND

The Director of Agriculture, Mr. R. W. Kettlewell, in "An Outline of Agrarian Problems and Policy in Nyasaland" says that unless the present rate of growth of the Protectorate's indigenous population is substantially reduced, progress in agriculture there will eventually be nullified . . .

Mr. Kettlewell adds that ultimately the over-population problem can only be solved by the African learning the wisdom of limiting the size of his family. But the problem's solution could be helped by the migration from Nyasaland of

complete families, instead of the present migration of able-bodied men alone.

He adds that the present African population of Nyasaland is 3,000,000 and that the African population doubles itself every 30 years. At present, he says, the average population density in the Protectorate's fertile Southern Province is about 320 people to the square mile . . . Only one-third of Nyasaland's land area of 36,000 square miles is farming land by present standards.

He suggests two short-termed answers to the over-population problem. The first is more efficient use of the land with greater productivity. Secondly that "subsistence cultivators" should be attracted away from the land into the towns to work there as craftsmen, artisans and labourers. (*Central African Post*, May 9, 1955.)

More than 160,000 Nyasaland Africans were working outside the territory last year, according to the Labour Department's report for 1954. They worked in the Union, Southern Rhodesia or Northern Rhodesia. These workers send home £877,000 in remittances and deferred pay. The report indicates that tea and tobacco growers in the territory will be short of 47,000 workers this year. (*Rhodesia Herald*, May 11, 1955.)

INCREASED TOBACCO PRODUCTION BY AFRICANS WASTED

The Nyasaland Department of Agriculture has been attacked in the past week by tobacco exporters and farmers. Exporters are claiming that the Government has not done enough to encourage the growing of fire-cured tobacco among Africans. The Government answered the charge by insisting that dissatisfaction with prices was the main cause for there being nearly 10,000 fewer registered growers last season. Exporters in reply pointed out that the Government had the remedy in its own hands, for the Government-controlled African tobacco board, which buys from growers and sells on the auction floors, made a profit of £125,000 last year. This was sufficient to increase the price to African growers by 1½d. per lb.

The Nyasaland farmers' union is pursuing its campaign to have non-African agriculture here placed under federal control. This week the union publicly requested that a working party be set up by the Government to consider steps towards this. The union will seek help from Northern Rhodesian farmers, who obtained a similar working party recently. (*The Times*, June 13, 1955)

ARCHBISHOP OF CANTERBURY'S STATEMENT REFUTED

At a Press conference in Salisbury on May 6 the Archbishop of Canterbury, Dr. G. Fisher, was asked by a representative of the African Press whether he did not think that a great deal of the opposition to Federation among Africans in Northern Rhodesia and Nyasaland was due to ill-informed interference from overseas.

Dr. Fisher replied: "I agree with that. In many ways a danger to the working out of your salvation is too many people overseas offering advice, or rather—and I would qualify that—trying to push their advice here. There are people who mind other people's business too much and try to

tell us what they want us to do. To try to propagate advice outside from another country is a dangerous thing."

The Nyasaland African Congress has written to the Archbishop saying the Congress "strongly refutes your statement of May 6, 1955, that Federation was a good thing and that African opposition was due to too many people from overseas trying to push their advice here. Congress considers such a statement as irresponsible and untrue." (*Pretoria News*, June 15, 1955)

NEW ASIAN LEGISLATIVE COUNCILLOR

Mr. Sattar Sacranie has been nominated by the Indian Chamber of Commerce in consultation with the Nyasaland Asian Convention to fill the vacant Asian seat on the Nyasaland Legislative Council . . . Mr. Sacranie is a barrister of law of Lincoln's Inn, and has been practising in this country for six years. He was born in Nyasaland and is president of the Nyasaland Asian Convention. (*Rhodesia Herald*, June 7, 1955)

OPEN PRISONS FOR AFRICANS

The experiment of "open prisons" for certain categories of African prisoners, which was instituted in 1946, has proved so successful that two further prisons of this type have been opened.

Northern Rhodesia

ADVANCEMENT OF AFRICAN MINEWORKERS

AFTER three months of studying the copper companies' schemes to advance Africans' the Northern Rhodesia European Mineworkers' Union "have countered with their own proposals—an umbrella of guarantees and proposals for the European under which Africans can go forward to 'reasonable opportunities.' But they have requested that the next three years be used as an observation period for 'the analysis of European jobs' and the effects that advancement might have on the industry.

"We are prepared to concede certain jobs," says the union—but assurances have to be given that 'any scheme for African advancement cannot be used to implement a cheap labour policy.' This 'job analysis', says the union, will help to test the validity of claims made that an African can adequately perform a particular job. 'The two obvious unknown quantities at the moment are the lack of exact knowledge of the content of jobs and of the capabilities of suitable Africans.'"

Briefly, the Union asks the companies not to bring up African to European jobs without agreement with the European employee organisations and not to transfer any particular job without agreement. Nor shall any European lose his employment because his job has been surrendered to an African. The companies must agree that such a man will not be transferred to another job due to be given to an African in the future at any time, or be given a job with less favourable wages and conditions.

The union seeks, too, "preference regarding employment to youths whose parents are domiciled in the territory." (*Central African Post*, May 20, 1955).

¹ See Digest Vol. III No. 1, Vol. II No. 8.

Commenting, the *Central African Post* said: "Of course, the European union is conceding nothing. Their proposals have come reluctantly, forced out by the movement of events which even the most bigotted anti-advancement advocate has been made to see.

"What do these 'concessions' amount to? Reading through the eight typescript pages, one might be forgiven for imagining that they were in fact proposals for the advancement of the European in the mining industry. For if the African is to be allowed to get his foot on the bottom of the ladder at last, then the Europeans have decided that from now on they will travel by escalator. As the African advances, so must the European, says the Union."

The editorial added: "Who dare to say what the African may not be capable of in a generation, or two, or three? But the most revealing part of the memorandum is the part which proposes a three-year 'observation' period, during which a study should be made 'collating additional evidence as to the effect on the industry of the opportunities we are now prepared to offer.'

"The union hastens to disabuse any suspicious minds who see into this suggestion a hint of procrastination—the putting off the evil day. But few will be taken in. It is a manoeuvre. No-one in his right senses can believe that advancement on the Copperbelt can wait three years—a generation of time under conditions in this country today—while a careful study and 'collation of evidence' is made. The union's memorandum is often irrelevant. It proposes, for example, that the companies should undertake to give preference regarding employment to youths whose parents are domiciled in the Territory. The hollowness of such a suggestion is obvious, but the main point is what on earth has it got to do with African advancement?"

The *Central African* correspondent of the *Manchester Guardian* (July 8, 1955) reported that "talks between the Northern Rhodesian European Mineworkers' Union and the Northern Rhodesian Chamber of Mines, which represents all the Northern Rhodesian coppermining companies, on the subject of advancement of Africans in the mining industry, ended in deadlock."

Details are not yet available but the correspondent said "it is understood in Kitwe that the union informed the Chamber of Mines a week ago that it would not participate in further discussions unless it first received a guarantee from the two copper-mining groups that they would accept as a prerequisite that no action would be taken for the advancement of Africans into jobs held by Europeans without first obtaining the agreement of the union. This demand by the union would require the copper companies to give the union an absolute right of veto on any action proposed or undertaken by individual mines which meant any breach or relaxation of the present colour bar in the industry. The position is complicated by the fact that the two copper-mining groups, the Anglo-American Corporation of South Africa and the Rhodesian Selection Trust group, are not fully in agreement on the course they wish to follow. Each has produced its own advancement plan. The union may try to drive a wedge between the employer groups.

"A statement issued this afternoon by the Chamber of Mines said that all the copper companies rejected the union's demand for the right of veto. This suggests that all the com-

panies now agree that to accede to this demand would give the control of African advancement to the union, which has shown little sign of being prepared to do anything other than maintain the rigid colour bar in the industry."

The President and Secretary of the European Mineworkers' Union flew to Johannesburg for further talks with the general secretary of the Nationalist-controlled South African Mineworkers' Union. No statement has been issued, but it is known that the Northern Rhodesians asked their opposite numbers in the South African Union to what extent they would be prepared to bring pressure to bear in South Africa assuming that the Northern Rhodesian copper companies insisted on taking action to permit some degree of African advancement.

"As the Anglo-American Corporation is by far the largest industrial undertaking in South Africa, with vast interests in gold, diamonds, and coal in the Transvaal and Orange Free State, it is apparent that the next few days may well see vitally important decisions taken which would affect the entire question of the industrial colour bar in the Northern Rhodesian copper-belt."

CHANGE IN TRADE UNION LAWS

The Commissioner of Labour, Mr. C. E. Cousins, has said that he hopes soon to move in the Legislative Council some far-reaching amendments to the Trade Unions and Trade Disputes ordinance. They will set out the purposes for which trade union funds can be used and the qualifications of union office bearers so as to provide for inspection of books and accounts to see that they are properly kept. If improperly kept, the Registrar of Trade Unions—subject to a right of appeal to the High Court—can cancel a union's registration.

A definition of the word "intimidate" is also being given. For the purposes of offences under the ordinance it will mean injury to him, members of his family or his dependents, or "of violence or damage to any person or property."

The proposed amendments have been circulated to the Chamber of Mines, all Unions, Chambers of Commerce, the Municipal Association and the African T.U.C. for their suggestions and comments (*Central African Post*, May 16, 1955).

In a statement made two days later Mr. John Roberts, Member for Health, Lands and Local Government, and leader of the unofficial members of the Legislative Council, said that the Northern Rhodesia Government had realised that, in introducing trade union laws for Europeans and Africans alike, it had made a mistake . . . The Government had found flaws in the legislation, particularly in the case of the African unions, and was now working on amendments to tighten up control and put African trade unionism in its proper perspective.

"It is quite impossible to transmit anything completely democratic, straight from Britain, with its hundreds of years of civilisation, to a people who until 30 years ago were ruled by chiefs and who had never even seen a bicycle wheel," he said.

It was regrettable that, per head of the industrial population, Northern Rhodesia seemed to have more strikes and threats of strikes than any other country in the British Commonwealth (*Rhodesia Herald*).

Mr. Dixon Konkola, general president of the Northern Rhodesia African T.U.C., has warned European employers that their influence on Government to introduce amendments to the Trades Unions and Trades Disputes Ordinance would "make them regret future consequences." A select committee of the T.U.C. would work out a method of opposing these proposed "discriminatory amendments," he said. (*Central African Post*, May 23, 1955.)

REDUCTION IN AFRICAN EMPLOYEES ON MINES FORECAST

The *Rhodesia Herald* (June 8, 1955), commented on a statement by the Governor of Northern Rhodesia, Sir Arthur Benson, that because of increased mechanisation on copper mines some 10,000 Africans will soon have to look for work elsewhere. It said that "the Copperbelt example serves as a warning that the industry operating there has proved too great a magnet to African labour, and has exposed again the chief weakness of the Northern Rhodesian economy—the fact that it depends far too greatly on this one industry."

COMMITTEE TO INVESTIGATE RACIAL DISCRIMINATION¹

The *Central African Post* (June 3, 1955) in an editorial said: "Before it has ever sat, the Government appointed committee to investigate the extent to which racial discrimination is practised in shops and other similar businesses in Northern Rhodesia, is doomed to the dismal failure of so many other officially appointed committees. For Government, who ten weeks ago were given a golden opportunity to at last do something positive towards the policy of partnership, have frittered it away."

The editorial pointed out that nothing had been done in that time and said: "the Africans showed goodwill when they agreed to accept Government's amendment. Said their spokesman: 'If this committee finds in the end that it has only become a tea party club, where are we?' But, he added—and was thanked by Government for it—the Africans would accept the amendment and see how far the committee went."

"That was on March 24.

"Prodded for an answer, the Attorney General said in the first half of May: 'Information about the committee will probably be available in the course of the next week.'

"Just as well he qualified things with that 'probably', for not another word has there been."

MR. ADLAI STEVENSON'S COMMENTS ON AFRICAN ADVANCEMENT

Commenting on the problem of African advancement on the Northern Rhodesian Copperbelt (which he visited), Mr. Stevenson stated that more would be gained by voluntary methods and patient negotiation than by disorder and violence.

"I have spoken to some European leaders about the importance of African advancement. I got the impression that there is a growing appreciation of the necessity for dealing with the problem promptly.

"It is obvious that there is much goodwill on the Copperbelt on the part of the management and the European com-

munity towards the question of African advancement in employment. I feel that the African leaders would do well if they would proceed in reasonable requests and in progressive improvement of their situation, without resorting to intemperate demands and expectation of immediate fulfilment of such demands.

"Racial discrimination has existed in trade unions in the United States, but is now a thing of the past. Our experience in America is that there is no justification for racial discrimination in the unions. Of course, there may be certain conditions here in Africa making some reason for separate trade unions." (*Kenya Weekly News*, May 27, 1955.)

AFRICAN EDUCATION

In 1937, the Northern Rhodesian Government spent £28,680 on the 30,023 Africans in the Territory who were receiving education. Last year the amount spent was £1,162,773 on 178,207 pupils. This comparison is used by the Director of African Education (Mr. J. A. Cottrell) in his annual report to illustrate the extent of the department's development. He states that in 1954 there were 1,265 Government local education authority, Native authority and mission aided institutions with a total roll of 178,207. The total number of all institutions was 1,381 and the total roll 186,976. (*Federation Newsletter*, June 24, 1955.)

Southern Rhodesia

AFRICANS AND THE LAND

MORE than 100,000 Africans are being moved in terms of the Land Apportionment Act from Crown Lands in the European area of Southern Rhodesia to the reserves and special Native areas set aside for them.

Already some 64,000 of them with their cattle, running into many thousands of head, and their goods and chattels, have been moved. This year will see 1,200 more families transplanted to their new surroundings. Government officials have reported that the limited opposition which was experienced at first from some Africans has disappeared and they are now co-operating fully.

The *Rhodesia Herald*, (April 27, 1955), said that the mass movement called for the highest degree of organisation and also of human understanding. "It is this last factor more than anything else that has won the confidence of the African, so much so that it is often noticeable, officials say, that it is the women who first put their shoulder to the wheel when a move is ordered.

"In an interview a spokesman for the Department explained that before any new movement can take place new areas to be occupied must be surveyed and provision made for water supplies and roads, while arable and grazing areas are marked and sites for villages pegged . . . Ample warning is given of any movement so that the Natives can get their crops off the ground and be ready for the move, which is so timed that they will be in their new locality in time to do their ploughing for the next season."

Criticism of the "short-sighted and miserly" policy adopted towards African agriculture in Southern Rhodesia was made by Mr. R. R. Tapson, representative of Native interests on the

¹ See Digest Vol. III No. 1.

Natural Resources Board, in the board's annual report . . . Pointing out that Native lands now produced half the Colony's food, Mr. Tapson said that 105 officials have to deal with 30,000,000 acres of dying land, considerably more than half the country's foodstuffs, and more than 1,000,000 cattle, various irrigation schemes and experimental stations.

Native producers account for 50 per cent. of the Colony's maize, 97 per cent. of small grains, 96 per cent. of ground-nuts, 55 per cent. of wheat, 65 per cent. of beef (or probably 75 per cent. including Native cattle given out to farmers as graziers).

"I ask you to accept the fact," Mr. Tapson continues, "that the fertility of Native lands is failing, and this failure will, I believe, be accelerated with the passage of the years. The soil structure of cultivated lands is changing and the shift of soil between contour ridges is increasing. This sombre picture should be measured against a population said to double itself in about 25 years. During the next three decades Native consumption will increase to approximately 6,000,000 bags; the present Native production is 3,357,000 bags, and I reiterate that the fertility of the soil is decreasing." (*Rhodesia Herald*, May 3, 1955.)

A major change in the life of the African people is anticipated as a result of the Government scheme to divide the Reserves and Special Native Areas of the country into personally owned farming units on the European pattern, in place of the traditional communal system of the past. The Minister of Native Affairs (Mr. P. B. Fletcher) said the scheme would probably be issued by August, and aimed at completing the alienation by 1960. It was expected that the agricultural production of the areas would be doubled by 1965.

He declared: "The communal system and capitalism are incompatible and cannot flourish within the same economy. The communal system of land tenure hangs as a dead weight upon the Native and frustrates all his endeavours to attain Western standards."

He added that in this policy Native Purchase Areas are cut up into complete farms and sold on the same basis as Crown land is sold to Europeans.

"But," he went on, "the Native Reserves and Special Native Areas, which constitute the great bulk of Native land, are held communally according to Native custom. The greatest and most valuable resource is the indigenous human population, which must have its way cleared to enable it to attain those high standards demanded by the free Western way of life." (*Rhodesia Herald*, May 19, 1955.)

The *Rhodesia Herald* (May 20, 1955) commented: "It is not to be expected that a far-reaching change of this nature will be accepted by the Native population at a stroke of the pen, or that it will not be regarded with some suspicion. The closer to the soil a people, the more conservative they are in their outlook and customs. It will be a matter of proving that the new way is better than the old, and in this a start has already been made. Native farmers on their own land are to-day doing well, and the more of their neighbours who see this fact demonstrated, the more there will be who will wish to do the same."

The Minister of Mines, Lands and Surveys, Mr. G. A. Davenport, later said that practically the whole of the resources of the Native Agricultural Department are to be

concentrated on the proposed change in the Native Reserves, where it is intended to break away from the communal system of land tenure and to apply more conservation.

In a letter to the *Manchester Guardian* (June 6, 1955) "Rhodesian" called attention to some of the implications of this new land policy. In the course of his letter he said "One of the principal reasons why Southern Rhodesia, alone of the British territories in Africa from the Limpopo to the Mediterranean, has had no serious disturbance, no single African's life lost in rising, riot, or strike during this century, is that the impact of the money economy on a primitive people has been cushioned by the ample Native Reserves where the traditional subsistence economy, based on communal ownership of land, has been encouraged to survive, and administered by Native Commissioners with sympathetic understanding." He described the policy as "the greatest revolution, so far as the Africans are concerned, since the white man first occupied the country in 1890."

Commander T. Fox-Pitt (June 11, 1955) added that "None of the reports that have yet come through about the disposal to individual African ownership of communally held African lands in Southern Rhodesia record any guarantee given by the Minister for Native Affairs that the rights 'which are negotiable and amount to title' will not allow their transfer to non-Africans.

"Farmers developing land with limited capital will wish to mortgage their land to buy equipment and stock and to raise money for buildings and improvements. Such mortgages will not be available from non-Africans, who are the only people with capital, unless title can be transferred if they have to foreclose on a mortgage in default of payment of interest. If no such guarantee is given Africans are in danger of losing a great deal of their land . . . The Secretary of State for Commonwealth Relations still has some rights of veto over Southern Rhodesian legislation that affects Africans and their land. It is important that he should know that he will have support in this country if he uses them."

A proposal to establish Young Farmers' Clubs for Africans and Coloured people, to be run on parallel lines to European clubs and controlled by a common council, has been accepted by the annual general meeting of the Southern Rhodesian Federation of Young Farmers' Clubs. The proposal was moved by Mr. D. K. V. Hall, chairman of the federation . . . It would be wrong to exclude Africans and Coloured people, he argued, although he thought it would be a "dangerous step" to encourage mixing at the moment. Under his proposal the only mixing would be at common council level. (*Rhodesia Herald*, May 18, 1955.)

OFFER OF LAND TO ASIANS

The Salisbury City Council has decided that, on receipt of written confirmation that the proposal met with the approval of the Asian Association, it would set aside 600 acres of land north of Coventry Road as being of special interest to the Asian community for the buying of land to build houses. Councillor A. J. Thompson said the Council now had an opportunity to house the Asian community—an opportunity which might not occur again . . . There were about 540 Asian families in Salisbury, and this area of 600 acres should meet any demands for the next 50 years.

However, he wanted to make it clear that this area was not reserved for Asian occupation only. The Asians were encouraged to buy land there, but it did not exclude anyone else from applying for land in the same area. (*Rhodesia Herald*, April 29, 1955.)

AFRICAN UNIONS IN MINING PREMATURE

The Vice-President of the Chamber of Mines of Rhodesia, Mr. R. B. Greaves, speaking at the Chamber's Annual Meeting, said "We are firmly convinced that the introduction of any organisation for the Natives in the mining industry to be known as a trade union—or on trade union lines—would be premature at this stage."

Claiming that there was 'no demand whatever by the Natives working on the mines for trade unions,' he pointed to the experience of the Sudan, where, he said, there had been a 'continual series of irresponsible strikes' since the introduction of trade unions there in 1948. (*Rhodesia Herald*, April 28, 1955.)

SOUTH-WEST AFRICA

INTERNATIONAL COURT'S OPINION

THE International Court of Justice has given its opinion in response to a request by the General Assembly¹ of the U.N. as to whether "decisions of the General Assembly on questions relating to reports and petitions concerning the Territory of South-West Africa shall be regarded as important questions within the meaning of Article 18, paragraph 2, of the Charter of the United Nations?" (i.e. that there should be a two-thirds majority in the voting procedure, instead of the unanimity rule which applied in the League of Nations.) The Governments of the United States, Poland and India submitted written statements.

The Court gave a unanimous opinion in the affirmative. It pointed out that in its previous opinion of 1950, it was necessary for it to say what were the obligations binding upon South Africa. It had then found that the obligations relating to the administration of the territory, and corresponding to the sacred trust of civilization referred to in Article 22 of the Covenant, did not lapse on the dissolution of the League of Nations. As to the obligations relating to supervision of the administration, the Court, taking into consideration the provisions of the Charter, found that supervision should henceforth be exercised by the General Assembly, but that it should not exceed that which applied under the Mandates System. But the Court had not then had to deal with the system of voting. In recognizing that the competence of the General Assembly to exercise its supervisory functions was based on the Charter, it implicitly recognized that the decisions of that organ in this connection must be taken in accordance with the relevant provisions of the Charter, i.e., the provisions of Article 18. If the Court had intended that the limits to the degree of supervision should be understood to include the maintenance of the system of voting followed by the Council of the League of Nations, it would

have been contradicting itself and running counter to the provisions of the Charter.

The Court then considered the degree of supervision which it had previously advised "should conform as far as possible to the procedure followed in this respect by the Council of the League of Nations". It pointed out that the voting system of the General Assembly was not in contemplation when the Court used these words. Indeed, the Court states, the question of conformity of the voting system of the General Assembly with that of the Council of the League of Nations presents insurmountable difficulties of a juridical nature, for the voting system of an organ is one of its distinguishing features. It is related to its composition and functions and cannot be transplanted upon another organ without disregarding one of the characteristics of the latter.

This Opinion in conclusion pointed out that in the Opinion of 1950, the Court had said that the General Assembly derived its competence to exercise its supervisory functions from the Charter. It is therefore within the framework of the Charter that it must find the rules governing the making of its decisions in connection with those functions. It would be legally impossible for it, on the one hand, to rely on the Charter in receiving and examining reports and petitions concerning South-West Africa and on the other hand, to reach decisions relating to these reports and petitions in accordance with a voting system entirely alien to that prescribed by the Charter. (*Communiqué No. 55/32 I.C.J.*, June 7, 1955.)

Writing in the *Observer* (June 12, 1955) Colin Legum said: "Almost all discussion on South West African affairs was blocked at the last session of the United Nations by procedural wrangles over this two-thirds rule proposal. Now the International Court has upheld the United Nation's right to establish this voting procedure."

SOUTH AFRICAN GOVERNMENT'S VIEWS

Commenting on the Court's opinion the Minister of External Affairs in South Africa, Mr. Eric Louw, said: "We do not care tuppence whether the United Nations observes the two-thirds majority rule or the unanimity rule in dealing with South-West African affairs because we have consistently said the United Nations has no right to concern itself with the affairs of South-West Africa . . . It is suggested that the International Court has by this decision implied that the United Nations need not follow the same rules as the League of Nations in regard to mandated territories. On the other hand, the Court at a previous hearing held that the same principles should be applied by the United Nations as were applied by the mandates commission of the old League. If this interpretation is correct, the Court seems to have departed from its previous attitude.

"It is obvious that the reason why the Court has taken up this attitude is that it did not want to accord the same veto right to those countries which had agreed to recognize the jurisdiction of the trusteeship committee of the United Nations. This rather suggests that the Court in this case seems to have been guided by other than strictly legal motives." (*South Africa*, June 25, 1955.)

¹ See Digest Vol. II, No. 6.

HIGH COMMISSION TERRITORIES

MR. STRIJDOM'S REMARKS

SPEAKING recently in the South African House of Assembly the Prime Minister, Mr. J. G. Strijdom, referred to South Africa's communications with the British Government concerning the Protectorates. He thought that it was the view of the British Government that this was not a suitable time to take negotiations on the future of the Protectorates any further.

The Prime Minister said that he had no doubt that it was the opinion of 90 per cent. of the citizens of South Africa that, in the interests of co-operation between the Union and Britain, and in the interest of the Natives of all Southern Africa, the Protectorates should be handed over to the Union Government, as was originally intended at the time of Union and as had been requested by successive Governments under General Smuts, General Hertzog and Dr. Malan.

British Government spokesmen had often said that they could not hand over the Protectorates without consulting the Native people of those areas. They appeared to interpret consultation in such a way as to mean that they could not hand the Protectorates over without securing the agreement of the Native people.

At the same time, South Africa's policy had been badly misrepresented abroad and to the Native people of these territories. The fact was, however, that South Africa's treatment of her own Native areas and her treatment of Natives outside those areas made her a magnet for all Natives from all the southern parts of Africa. This was the best possible proof that Natives in the Union were excellently treated.

If the Native areas of the Protectorates were handed over to the Union, the Natives there would be treated in precisely the same way as the Natives in the Union's own Native areas. (*Rand Daily Mail*, June, 1955.)

The *Rand Daily Mail* (June 21, 1955) referred to Mr. Strijdom's remark that he did not think it was advisable to say much at the moment. The *Mail* added: "Nevertheless, he did say something which was of unusual interest. He told the Senate that it had been decided to ask Britain to discuss with the South African Government whether the time had not arrived to hand over the Protectorates to the Union according to the conditions of the South Africa Act. How strange that Mr. Strijdom should invoke the South Africa Act just when his Government has been so busy destroying some of its basic provisions, undermining its fundamental principles and showing in a variety of ways that he and his followers have not a great deal of respect for the Act which established the Union of South Africa."

BISHOP OF JOHANNESBURG'S COMMENTS

At a Press conference before leaving Britain, the Bishop of Johannesburg said: "While Britain has made truly commendable advances in the manner in which it has exercised trusteeship in those parts of Africa for which she carries responsibility, there are unfortunate lapses which ought to be

acknowledged and remedied. For example, spokesmen of the South African Government have frequently claimed that Africans in the three British High Commission territories—Basutoland, Swaziland and Bechuanaland—are in many ways worse off than their fellows in the Union. That allegation, in so far as it affects social and economic development, is unfortunately true.

"The Protectorates—as those territories are generally called—are in a peculiar sense a touchstone of British policy in Africa. In the first place, Britain carries very special responsibilities for those people who placed themselves under the protection of the Crown. The inhabitants of the Protectorates desire desperately to be able to decide their own future without dictation from either Britain or their immediate neighbours. But it is a strange fact that of all the colonial territories in the British Empire, the only three countries of any size which have not been granted Legislative Councils, are the Protectorates. The inhabitants naturally resent this, and are suspicious of the reasons that have prevented them from obtaining increased political responsibility. It would be wrong to suggest that things are not being improved in the Protectorates. Swaziland, for example, is making impressive economic strides. The Commonwealth Relations Office has indicated that, at long last, more is to be done to improve educational facilities. But this is only a start. Much more must be done, and quickly.

"The Protectorates, in the view of many, offer one of the most important opportunities for people in Britain to contribute their share to the just solution of the racial conflicts of Southern Africa."

SOUTH AFRICA

CONGRESS OF THE PEOPLE

3,000 delegates of all races attended the Congress of the People on June 26 and 27 at Kliptown, near Johannesburg. It was organised by the African and Indian National Congress and a coloured organisation, as well as the inter-racial Congress of Democrats. Delegates came from all over the Union, and included 112 Europeans. During the second days proceedings a force of 300 police, armed with sten guns, rifles and bayonets broke up the Congress.

Mr. Douglas Brown, special correspondent of the *Daily Telegraph* (June 27, 1955) reported: "The congress drew up a 'Freedom Charter' demanding an end to discriminatory laws and the institution immediately of a universal franchise. Messages of encouragement were received from Chou en-Lai and the President of the Indian National Congress.

"A special badge was presented to three 'fighters for Freedom'. These were: Chief Luthuli, president, the African National Congress; Dr. Dadoo, president, South African Indian Congress; and Father Huddleston, Anglican missionary.

"Only the last was able to be present in person. The others were banned from attending gatherings under the Suppression of Communism Act.

"The Congress, which was first projected in 1953, could have been banned, but the police no doubt wished to learn what they could from observing it in action.

"Many supporters of the African National Congress which, in essence is far from being a Communist organisation, feared that it was falling into a trap in associating itself with the movement."

The *Rand Daily Mail* (June 27, 1955) described the arrival of the police who presented a search warrant to the chairman of the meeting, Mr. Beylveid, which said that they were investigating a charge of treason, and that they had come to look for "inflammatory or subversive literature."

Some Natives, who are alleged to have been without proper papers, were arrested. The other people at the meeting were allowed to go after they had been searched and their names had been taken . . . While Special Branch members made parcels of the notes of speakers and other papers on the platform, and 25 police stood guard below, the delegates continued to deliberate on the clauses of the "Democratic Freedom Charter" they had come to draw up.

As each clause was passed, the 3,000 Native, Indian, Coloured and European delegates, and the 3,000 onlookers, who were outside an enclosure, stood up to chant the anthem.

As the delegates stood around waiting to be allowed out of the enclosure by the police, a Native band, with a dented tuba, trumpets and a broken set of drums, played songs which were composed during the defiance campaign. Some of the people danced.

Commenting, the Rev. Trevor Huddleston C.R. said: "In my view (and I have been present at very many of such meetings) a deliberate attempt is being made to intimidate the non-European people.

"The bogey of Communism is being indiscriminately produced in a most irresponsible and deplorable manner. It will ultimately have very serious consequences for the people who exercise it in this fashion."

THE SENATE ACT¹

In Johannesburg, 18,000 people attended a meeting in protest against the Senate Bill. Similar meetings were held in other cities of the Union and for several weeks the English-speaking press reported the ever-growing opposition from the Protestant Churches, the Natal Provincial Council, Universities, leaders of the Coloured community, the African Congress, and ordinary citizens. The Pretoria University professors re-affirmed their protest despite the disapproval of the Nederduitse Hervormde Kerk van Afrika, and veiled threats from Mr. Eric Louw, Minister of Finance, who said that on him, the Minister, who had to find the money to pay part of the lecturers' salaries and cost-of-living allowances, the action of the 13 men made an unfavourable impression. The professors retorted that they were heartened by the many assurances of support, especially from Afrikaans-speaking people and Nationalist circles.

In Parliament the Opposition parties fought the Bill clause by clause without effect. A new clause was added by the Government, providing that Bills may become law even if the Senate disagrees.

The *Rand Daily Mail* Political Correspondent (June 3, 1955) commented: "The strange situation has now arisen that the

Government proposes, after using the Senate to smash the Constitution, to reduce it to a Constitutional appendix.

"The amendment states that if the Senate rejects a financial bill the Assembly can send the measure over the Senate's head to the Governor-General for his immediate assent. Any other bill becomes law if passed twice by the Assembly, even though it has been rejected twice by the Senate. The provision for a joint sitting of both Houses in case of a deadlock between them is now entirely removed from the South Africa Act. The amendment nullifies it."

Six leaders of the Coloured community made a statement on the Bill. They expressed deep concern that the will of God was being invoked by members of the Government to support the measure and called on church leaders to declare their standpoint.

They said that the Coloured people do not want to be removed from the common roll of voters. "We have in no way weakened on this basic matter." (*Cape Times*, June 1, 1955.)

The Bill was passed by 79 votes to 46. Replying to the final debate, Dr. Donges, Minister of the Interior, said: "If this bill is not passed, more drastic measures may be necessary. It might be necessary, for instance, to nominate the whole Senate." (*Rand Daily Mail*, June 9, 1955.)

WOMEN OF SOUTH AFRICA TAKE ACTION

Throughout the country, women organised a petition with more than 100,000 signatures, calling on the Governor-General, Dr. E. G. Jansen, to withhold his signature from the Bill. Organisers in Johannesburg said that they had been plagued by threatening and insulting telephone-calls at night, and there had been mysterious delays in the post in various parts of the Union.

Despite the fact that the Governor-General gave his assent, the women have continued their protest. 1,000 of them took part in a silent march to the Union Buildings, Pretoria, to present a petition to the Minister of Transport, deputising for the Prime Minister.

Many of the marchers camped out at the Union Buildings in bitter winter weather for two days as a symbol of their determination and the depth of their opposition. They then drove to Johannesburg and held a protest meeting there, which was chaired by Professor E. E. Harris, of Witwatersrand University.

The *Pretoria News* commented: "We salute these women. We can feel heartened and not a little humble when we contemplate their stoicism and their determination. If all those who oppose the Government can equal their self-sacrifice, their courage and hardihood and their active devotion to the ideals in which they believe then who can say that the task of unseating the Government is impossible?"

RESIGNATIONS FROM THE UNITED PARTY

Dr. Bernard Friedman, M.P., the Hon. F. A. W. Lucas a former Judge and two Johannesburg City Councillors, Mr. R. N. Harvey and Mr. J. Lewsen, have resigned from the United Party because Mr. J. G. N. Strauss, the leader of the party, said that it would be premature at present to say whether the United Party would restore the Coloured people to the common voters' roll if it was returned to power.

¹ See Digest Vol. III No. 1.

Dr. Friedman, who decided to fight a by-election as an Independent, on the issue, was expelled from the party caucus. Mr. Lucas, in supporting him, said: "We have reached the stage under the Nationalist Government where, no matter the cost, we must firmly state principles of justice and freedom. Mr. Strauss' stand does not meet the situation. If the United Party is not capable of making a stand on the Coloured vote, on what is it capable of making a stand? Is it capable of making a stand on any matter of principle?"

The City Councillors stated: "Mr. Strauss, by refusing to define clearly the United Party's intention on the Coloured vote, has finally destroyed the party as a coherent instrument of opposition. The integrity of all in the United Party who oppose the Senate Bill has been tainted by his action. It must be repudiated; and out of the strength of feeling and conviction among the opponents of the Government, we must build up a new political force which will offer a clear alternative to Nationalism."

Mr. Quintin Whyte, Director of the South African Institute of Race Relations, said the demand by Dr. Bernard Friedman for an unequivocal statement from his party about the restoration of the Cape Coloureds to the common roll was "heartening."

It was unfortunate that the United Party had refused to state, unequivocally, whether it would restore the Cape Coloureds to the common roll should it return to power. Mr. Whyte emphasising that he was expressing his personal views on this point said: "Party-political expediency is not an adequate substitute for moral integrity and principle in the government of our country." (*Rand Daily Mail*, June, 1955.)

WITHDRAWAL OF CO-OPERATION ADVOCATED

Mr. John Cope (United Party) addressing a meeting in the Cape, said that the present "desperate political situation" called for unorthodox political measures. He added: "Of course I have nothing in mind that is not within the strict meaning of the constitution and the law. I could never be a party to an act of lawlessness. But the relationship between a state and its citizens does not depend on the law only. It depends even more on goodwill and voluntary co-operation. If we, as citizens, are outraged, as we are by the Senate Bill, if we see our democratic liberties being taken away from us, then I say that we are entitled to withdraw our voluntary co-operation. We are to-day by our work and industry helping to provide this democratic parliament. We must consider whether we are prepared to go on doing so. How many of you have savings accounts in the Post Office? It is perfectly lawful to withdraw those accounts and place your savings with the building societies. The Government borrows a lot of money from the public one way and another. Some has to be lent compulsorily, but a great deal is lent voluntarily . . . I realise that a non-co-operation movement is a serious thing, but it would be disastrous to lose our democratic liberties. The Government has gone far already towards estranging more than half the electorate. If it continues along the road it is now following, we may have to think very seriously whether we should make the estrangement complete. It is up to every citizen to decide. Everyone of you has power to act in perfectly legal and constitutional ways. All that is required is courage and determination." (*Rand Daily Mail*, June 2, 1955.)

Die Transvaler (June 3, 1955) commented: "Mr. Cope's proposals of non-co-operation in principle accord with the boycott movement which certain Natives have perpetuated periodically in recent times. He not only wants to follow the example of the stupefied Natives but he will also provide them with an example which perhaps may eagerly be followed. Such proposals move on the boundary between order and chaos, responsibility and recklessness. No government dare permit and no electorate can approve of a section suddenly beginning to behave 'unorthodoxly' for such a thing is an undermining of the contract social in terms of which alone the affairs of the country can be carried on in an orderly manner."

MAIL TAMPERED WITH

Strong criticism was expressed in Parliament when Mrs. Margaret Ballinger (Liberal) gave definite and detailed evidence that mail was being tampered with. Senator L. Rubin (Liberal) raised the matter in the Senate. The Minister of Posts and Telegraphs said neither he nor the Postmaster-General knew anything about it, and the Minister of Justice also denied knowledge. In the resulting debates, and correspondence in English-language papers, United Party members, and former members of the Torch Commando, said they had experienced tampering with their post, and tapping of telephones.

The Minister of Posts refused to appoint a judicial commission of inquiry into the Liberal Party's charges.

UNIVERSITY SEGREGATION AND PASSPORT REFUSALS

The Hon. Mr. Justice R. E. Feetham, Chancellor of the University of the Witwatersrand, opened the 31st annual congress of the National Union of South Africa Students. The President of N.U.S.A.S., Mr. John Didcott, in an annual survey said: "What tolerance once existed for the viewpoints of minorities, and what respect we had hoped would be paid to the policies of those universities which find themselves at odds with the political authorities, dissolved when the Minister of Education announced the rejection of the Holloway Commission report in which it was revealed that university segregation was an impracticable venture involving enormous expenditure.

"This report was received with dissatisfaction by the protagonists of *apartheid*, and the Minister stated his Government's intention to implement university *apartheid* with reckless disregard of the consequences to academic freedom and the independence of universities." Not only had inroads been made on humanistic educational ideals and practices, but action "cruel and inexplicable" had been taken by the authorities against individual students.

Mr. Didcott referred to the instance of Mr. S. Katz, N.U.S.A.S. vice-president for international relations, who had been refused a passport renewal to attend the international student conference now taking place in England. The unfortunate but probable reason for such a step was the Nationalist Party's determination to allow no viewpoint other than its own to be heard overseas. (*Rand Daily Mail*, July 4, 1955.)

South Africa also refused visas to an international delegation of three students, Paul Sigmund, international vice-president of the United States National Student Association; Claus-Helmut Dehio, former international vice-president of the

German National Union of Students, and Mohammed Radjab, former international vice-president of the Indonesian National Union of Students, who planned to report impartially on racial problems in South African Universities. The Union Government gave no reason for the refusal.

Commenting on the debate in Parliament concerning these refusals, the *Rand Daily Mail* (June 27, 1955) said: "During the debate on the subject in the House Mr. Swart said, 'We know what goes on at these congresses,' thus clearly betraying the Government's line of thought in these matters. It is almost reflex action with the Ministers. Ask for a passport to go to a congress, and they at once conclude 'it is not in the interests of the country'." The *Mail* pointed out that "the conference Mr. Katz wished to attend was that of an anti-Communist organization and that his fare was being paid by the Federation for Youth and Students Affairs, also an anti-Communist organization. Mr. Swart said he knew nothing about this and looked surprised."

The London journal, *South Africa*, (July 2, 1955) remarked that in introducing the "passports" Bill¹ Dr. Donges had at first represented it "as a means of preventing Communists and fellow-travellers from going abroad to study processes associated with anarchy; but Opposition arguments elicited the fact that it would be available, too, against non-Communists who might criticize the country and/or its Government overseas. Mr. Katz's case seems to belong to that category. Not only has he himself declared that he is strongly anti-Communist, but one or two prominent citizens who have investigated his *bona fides* have confirmed this. He is, however, a member of the Liberal Party, which means that he must be radically anti-Nationalist. If the Birmingham conference got on to the subject of *apartheid* Mr. Katz would be certain to join in the discussion, informatively but adversely . . . "His case has all the appearance of being a test of the secondary purpose of the Departure from the Union Regulation Act—but for the fact of the test being blocked by official secrecy."

FORT HARE RE-OPENED

Fort Hare University College was re-opened on July 1². The circumstances that led to the closing of Fort Hare are surface manifestations of the underlying forces at work among the Non-European population at large, and particularly among the more educated and articulate elements, states Dr. Ellen Hellman, President of the S.A. Institute of Race Relations in the latest issue of *Race Relations News*.

Attention had repeatedly been called to the danger that repudiation of laws regarded as discriminatory could easily spill over into repudiation of the rule of law itself, particularly among the youth.

As far back as 1946 the Institute had drawn attention to "serious symptoms of mounting discontent" among Africans, to "a growing sense of frustration. We feel bound to issue a warning," a public statement had said, "that if this situation in the field of race relations is allowed to deteriorate further it will before long reach a stage in more educated and articulate elements." Nothing that had happened since 1946 had served to stem this deterioration. On the contrary, legislative measures and administrative practices had accelerated it. "In

my opinion, this is the crux of the trouble at Fort Hare. Resentment against the trend of developments in South Africa has tended to turn into resentment against authority as such. Fort Hare is soon to re-open. One knows it will re-open on a note of renewed endeavour. One hopes that the students will observe the discipline which is essential to the administration of a university and which is in no way a function of colour."

Mr. Alan Paton, author of the book, "Cry The Beloved Country", protested against the methods being used to "screen" Fort Hare students.

The principal, Professor C. P. Dent, had circularised the students and their parents, stating that they would have to apply for re-admission. Such applications will have to furnish certain information—set out in six questions—about the student gatherings on April 25 and April 29, which led to the closing of the college.

Though the principal gives parents and students a guarantee to treat such information as "strictly confidential", Mr. Paton contends that the circular and the terms of application for re-admission virtually amount to an inquisition, asking students to become informers on their fellows.

The irreconcilables, if known, must be dealt with sternly, but all others could be invited to return on their guarantee to respect authority, the past to be forgotten and no questions asked. (*Johannesburg Sunday Times*, June 12, 1955.)

The Non-European Students Representative Council strongly protested against the closing down of Fort Hare and called upon the college authorities:

(a) To re-admit all the students without renewal of application.

(b) To institute a commission of inquiry, on which students will be represented, to investigate the students' grievances. (*Golden City Post*, June 5, 1955.)

A commission, under the chairmanship of Professor J. P. Duminy, Principal of Pretoria Technical College, has been appointed to investigate the living conditions and work in the college, and to make recommendations for improvements if necessary.

BANTU EDUCATION

The Liberal Party in South Africa, in their newsletter *Contact* (May, 1955), referred to the Rand boycott of African schools¹ and the African Congress's consideration of Bantu Education and said: "While it is quite right that these events should be given prominence they are really only highlights in the struggle which goes on continuously as the Nationalists try to impose their educational ideas on the rest of South Africa. Lately there have been two instances of the Nationalists' apparent intentions to persuade teachers to offer as little audible opposition to their policies as possible. Neither of them has evoked the outcry one might have expected. The implications of both are very serious.

"Some time ago new regulations governing African teachers in Bantu Government Schools were published. More recently a Draft Ordinance has been put forward by the Nationalists, who now control the Cape Provincial Council, proposing certain amendments to the law relating to education in that province.

"The regulations for African teachers provide that, in future, no teacher will be permitted to identify himself actively

¹ See Digests Vol. III No. 1 and Vol. II No. 8.

² See Digest Vol. III No. 1.

¹ See Digest Vol. III No. 1.

with a political party or body, or actively to participate in political affairs. The restriction, now applied to all African teachers, applied to those in certain provinces before the Bantu Education Act was passed. There is now uniformity but it is a uniformity at the expense of the rights of teachers, which cannot be approved. Teachers are leaders. Their qualities of leadership should be freely used in all spheres, not least that of political activity, provided their work does not suffer as a result and provided they do not use their position for purposes of indoctrination. While this new regulation narrows the range of teachers' activities in one direction there is another which takes away a right long enjoyed. In future, teachers who are charged with misconduct—which can include political and other activities—may face an enquiry conducted by the Department but will not be allowed the legal representation previously enjoyed. What reason can there possibly be for introducing a change of this nature? Does the Minister not want outsiders to see how these enquiries are conducted? Is he afraid that the accused might get off? If he has a good and valid reason for this innovation then it is certainly not an obvious one. Equally certain is it that his reasons are not appreciated by teachers who deeply resent the loss of an established right.

"Worse than these regulations are the proposed amendments to the Cape Education Ordinance. These will make it possible for the Superintendent-General of Cape education summarily to dismiss any teacher who is a communist 'as defined under the Suppression of Communism Act'. It is well known that this definition is an extremely wide one. It is well known that people who are not communists, but simply outspoken critics of the Government, have been defined as communists. Will the proposed amendment be used to intimidate those teachers, whose views are not the Government's, into an unwilling acceptance of its policies? Whether it is so used or not the objection to the section of the Ordinance is that it aims to hound men out of their chosen profession because of their political views.

"No doubt Nationalists hope to stifle criticism of their policies amongst teachers by the pressure they are now exerting. Do they think it can be done as easily as that? No doubt Dr. Verwoerd hopes to cow African teachers, parents and children into acceptance of the Bantu Education Act by his recent 'strong' action in dismissing 116 Rand teachers and banning many children from future attendance at school. All he has really done is to ensure the implacable and lifelong opposition of the people affected to the policy for which he stands. The threats inherent in his new regulations and the Cape proposals may frighten some people—they will simply harden the resolve of those who are *apartheid's* real opponents. Until the Nationalists evolve some new brain-washing technique to which they can subject all teachers in this country they will be unable to destroy the liberal tradition which permeates so much of South Africa's school system. Long before then they will have gone the way of all those who have sought to thwart man's quest after truth."

Dr. W. W. Eiselen, Secretary for Native Affairs, said recently that the new approach to Bantu education was that it should prepare the Bantu to serve their own communities and to make them progressive. This was in full account with the aims formulated by Unesco for the education of the so-called under-developed communities.

He added that because of the control of schools by missions the traditional Bantu aristocracy had not shared in education. The schools had served the Christian community in the first place. Because of this unfortunate phenomenon many chiefs and headmen were to-day ignorant and backward.

The Minister said the most difficult task ahead was to obtain the co-operation of the 22,000 Native teachers who had received their training under the old scheme and in a variety of mission training schools and at Fort Hare. It was difficult for them to realise that they were now in the service of their own community and that their work must be co-ordinated with all other activities in that community. It was especially difficult for them to abandon English as the chief medium of instruction.

The department would itself undertake the training of Bantu teachers from next year. They would be prepared for their task, but those already employed would have to be trained again while in service. "We expect to meet with refractoriness, go-slow strikes, secret resistance and with a *bona fide* inability."

The department's programme was good, especially for the Bantu themselves. All the old education system could offer was the flight of a small percentage of Bantu, talented above the average, to the no-man's-land between Bantu and European.

The new system would mean the building up of the Bantu community and the creation of opportunities for those with ability and initiative to lead their people further along the road to a better form of Native community life. (*Rand Daily Mail*, July, 1955.)

The *Mail* (July 4, 1955) commented: "The churches, if they wished, might reply that it has always been open to the Government to found secular schools for the heathen children of chiefs and headmen. But in the past it has seemed content to leave both education and conversion to the churches. Surely the missionaries, of whatever denomination, are not to blame for having made Christianity and education go hand in hand?"

"The new approach to Bantu education was that it should prepare the Bantu to serve their own communities and to make them progressive," said Dr. Eiselen. The trouble is that no one knows precisely what this means. All the Bantu parent knows is that, if his son can learn to read and write English and Afrikaans (preferably both) and do simple arithmetic, he has a chance of earning more money than his father did as a labourer. All the best jobs and the best rates of pay are to be found in the white man's world in the city. He hopes rather wistfully, therefore, to equip his children for that world. And the mission schools were the places where, sometimes, they learned to qualify for the better jobs.

"Now the Government says that it is taking over the schools and that the children will be trained to serve their own communities. 'I understand this,' says the Bantu parent. 'But where are the jobs?' And all the while wage rates in the white man's world are climbing."

GROUP AREAS CONFUSION

Yet another amendment has been made to the Group Areas Act—the Group Areas Development Bill—which deals with the financial aspects. Critics of the Bill argued that it offered only a superficial solution for highly complicated problems, and that it would lead to endless lawsuits.

Meanwhile in Pretoria the City Council is of the opinion that a single group area should be created to accommodate all the Asians and Chinese of the Witwatersrand and Pretoria. It has no site in mind, however.

The Group Areas Board has proposed zoning certain areas in Pretoria West as Coloured, Indian and Chinese. The City Council adopted a motion introduced by Mr. L. J. Van den Berg who said: "Motorists travelling to Johannesburg by the western route would have to pass through Asiatic townships. In addition, the properties were expensive. Furthermore, they were not sufficiently far from the city and would eventually be surrounded by growing European suburbs. Lady Selborne and Claremont were already surrounded by White areas. Another point was that the western areas had been planned for industry and Asiatics were not industrial workers.

The Deputy Mayor, Mr. W. J. Seymore, opposed Mr. Van den Berg's motion. He said this was the City Council's thorniest problem but ground had to be found somewhere for these people. He did not wish to be misunderstood—he had no more time for the Indians than anyone else, and certainly did not want them living on his own doorstep. If he had his way they would all be shipped back to India, but failing this some place must be found for them. People should not simply object to the Group Area proposals if they could not suggest alternatives.

Dr. J. C. Otto said that although he did not like the zoning proposals one must be realistic. The Indians could not be suspended in the sky. The further from Pretoria they were situated, the more it would cost the city to provide services. (*Pretoria News*, May, 1955.)

The executive of the Pretoria and District Indian Tenants Association has lodged objections with the Group Areas Board. Their President, Mr. Essop Moosa, said: "Considerable hardship would be caused by the removal of people from the Asiatic Bazaar to Erasmus, Claudius, Christoburg and Mooiplaats, which were secluded, undeveloped and unsuitable for residential occupation. Many Indians were too poor to buy land or build homes.

"Considerable inconvenience, frustration and extra expense would be caused to people, who would have to travel farther to work. The proposed areas would be too isolated for trading and only a small fraction of those at present in business would be able to earn a living there. Most Indians would be economically ruined. The compulsory removal would be unjust and inhuman. The Asiatic Bazaar had been set aside for Asiatics in 1885 by the Republican Government. Its natural and man-made boundaries made it most suitable for the purpose. Marabastad, formerly occupied by Natives, was a natural extension of the Asiatic Bazaar and 18 vacant morgen there could be allocated to Indians.

"Urging that Indians be allowed to continue living and trading in their present areas, the association said there had never been any friction between them and other races nor had there been any undue fraternisation." (*Pretoria News*, June, 1955.)

Mrs. A. Pijper, a member of the Pretoria Joint Council of Europeans and non-Europeans, has said that 45,000 non-Europeans in the black spots of Pretoria were threatened with eviction from their homes.

"But what makes the pending compulsory evacuation of 40,000 Natives from Lady Selborne Native township, 2,930

Indians from the Asiatic Bazaar and 2,000 Coloured people from the Cape Location to outlying areas morally wrong and unjustifiable is that all these 44,930 people live in townships where there is freehold title to land. Lady Selborne is one of the very few freehold Native townships left. There are 200 landowners. To change their freehold title to leasehold is against the principles of justice and fair play."

Mr. C. W. Prinsloo, Chief Information Officer of the Native Affairs Department, said that the land tenure which the evacuated Natives would be offered would be some form of leasehold determined by the local authority in consultation with the Native Affairs Department. "It will definitely not be freehold," he said. "It is a myth that most properties in Lady Selborne are Native-owned." Most of them are owned by other races, including Europeans. I don't suppose that more than two per cent. are owned by Natives. (*Rand Daily Mail*, June 9, 1955.)

In Rustenburg the non-publication of two proposals made to the Land Tenure Advisory Board regarding the setting up of group areas there was queried when a committee of the board began its hearing to-day. Dr. G. Lowen, representing 37 Europeans who had made a proposal in terms of the Group Areas Act, told the committee: "Somebody has already decided what you should consider and what you should not consider. I submit that this kind of procedure is utterly impossible."

The 37 Europeans were people of substance, many of whom owned property in that area from which the council proposed to move the Indians. In their proposal they had said that the Indians had been living in Rustenburg since 1883 and if they were moved to the site suggested by the council, they could not hope to maintain a livelihood. They suggested that the Indian area should be proclaimed in the centre portion of the town where they were already established.

Dr. Lowen applied for a postponement of the hearing on the grounds that the proposal by the 37 people and another independent proposal had not been advertised in terms of the Group Areas Act, while the only other proposal—one made by the Rustenburg Town Council, which had suggested that the entire Indian population be moved $1\frac{1}{2}$ miles from the town—had been advertised and was thus the only one which the committee could consider.

The Act did not lay down that the Europeans should have all the advantages under it. If the Indian community made a proposal that might save their businesses from ruin, this would be a correct proposal in terms of the Act. If wrongly administered, he said, the Act could "debar thousands of people of their livelihood."

Dr. Lowen asked for an adjournment of the hearing so that the two other proposals could be advertised. If they were not, he said, they would be outside the terms of reference of the committee and could not be considered. Mr. W. F. Nel, chairman of the committee, refused the application, saying that the hearing would continue to-morrow, but adjourned immediately after Dr. Lowen then announced that he would contest the decision in the Supreme Court.

Forty minutes later, Mr. Nel said that the committee had reconsidered its decision, and would adjourn *sine die* for the matter to be placed before the full Land Tenure Advisory Board. (*Rand Daily Mail*, June 14, 1955.)

WITHDRAWAL FROM U.N.E.S.C.O.

Mr. Eric Louw, Minister of External Affairs, in giving the South African Government's reasons for withdrawing from U.N.E.S.C.O., said: "Our chief complaint against Unesco is its publications on racial affairs, including attacks on the Union's colour policy, which is being spread by Unesco's official agents in South Africa. The Union Government is not prepared to contribute towards the cost of printing and distribution of literature which only could have the effect of inciting the Non-Europeans against the Europeans in South Africa."

Among the critics of the Government's action were Dr. Gey van Pittius of the University of Pretoria, and Dr. Ellen Hellmann, President of the South African Institute of Race Relations.

JURISTS CONDEMN APARTHEID

The first International Congress of Jurists was held in Athens. It was called by the International Commission of Jurists at The Hague to consider what minimum safeguards were necessary to ensure a just rule of law and the protection of individuals against arbitrary action by the State. About 125 prominent jurists from 48 countries attended. They included Judges of the Supreme Courts of India, Pakistan, Canada, Burma, and Tasmania. The United Kingdom was represented by Sir Leonard Holmes, Sir Dingwall Bateson (both former presidents of the Law Society), and Mr. Charles Hamson, professor of comparative law at Cambridge. (*The Times*, June 14, 1955.)

The Congress passed a resolution condemning South Africa's *apartheid* policy after hearing a report from Professor Vakil of India in which he castigated the Union of South Africa which, "although it belongs to the great British Commonwealth of free nations, exercises in respect of the vast majority of its citizens arbitrary powers which deprive them of every husk of individual freedom." South African laws which deprived coloured peoples of the right to own property were part of the policy of discriminatory victimisation allegedly designed to maintain the purity of races and sordidly intended to perpetuate domination by a small community of Europeans over an overwhelming majority of coloured peoples with equal, if not better, claims to the soil of Africa. (*The Times*, June 15, 1955.)

CHURCHMEN ON APARTHEID

The Bishop of Natal, Bishop Vernon Inman, in a speech to the Durban "Parliament" proposed a resolution that the "House" would base its future policy on the fullest possible measure of inter-racial co-operation.

"I would define *apartheid* as any doctrine or practice which denies to a person of another race or colour any right which he may claim for his own race or colour.

"As far as the overwhelming majority of Europeans in the Union is concerned, *apartheid* is generally accepted as an essentially South African way of life. It means the denial of any sort of equality of opportunity to Non-Europeans. I claim that *apartheid* is a cancerous growth gradually swallowing up the healthier tissues of the body politic. It is easy to account for the origins of *apartheid* and to see that those origins were much the same for Britons and Afrikaners alike. It was based on fear and fear is not a basis on which to build either a sound civilisation or a nation . . .

"Our task and duty is to see that we devise a fair means of ascertaining the legitimate desires and aspirations of the Non-European peoples. The urbanised and the civilised must be given the rights of citizenship with Europeans." He objected to deprivation of the franchise on the ground of colour. (*Rand Daily Mail*, June 14, 1955.)

Rev. Stuart B. Jackman, the Congregational Minister in Pretoria, referred to segregation in the churches and said: "Nominally multi-racial, we have separate buildings for our black, white and Coloured congregations. And even among the most 'liberal' of our European churches there is a steady refusal to admit African or Coloured ministers (college-trained though they may be, and able and sincere preachers) to occupy the pulpit on a normal Sunday. They are allowed to do it once a year at the Assembly. But not otherwise. Nor is there any sign of a European church opening its doors to African members, not merely to worship with the white congregation, but sit with the white man, as equals, in the church meetings and on the committees of the local church. There is the time-dishonoured excuse that the black man doesn't want to be a part of the white congregation—that he is uncomfortable in the presence of whites. Quite apart from the commentary this provides on the sort of Christianity we have preached, it is a shame to be laid at the door of the white man who has made a society within which the black man feels this kind of embarrassment. There are still those who talk in terms of a gradual alliance of white and black in the same church in fifty or a hundred years' time. But there are two obvious flaws in this. The first is that somebody has to start it, and at present nobody will. And the second is we haven't got fifty years left, or anything like it.

"By turning away from these central issues, the churches have weakened their impact disastrously. They are becoming little cells of liberally-minded (within limits) white people who, afraid to tackle the racial problem squarely, are thrown back upon little acts of charity and kindness towards the Africans and the Coloureds. There is no reason to belittle or discredit these acts. They are truly Christian, and they meet, in however small a way, an immediate and real need. But we need to be aware of the sort of results that are coming already from our choosing of the lesser part, and our rejection of the major witness in terms of inter-racial worship and fellowship.

"One of the results is this. The people outside the churches—and there are plenty of them here as elsewhere—have been encouraged by our charity to be charitable themselves.

"The other result lies among the African themselves. They accept our charity (as who wouldn't?) but they are beginning more and more to scorn and mistrust our Faith. This is especially true of the younger ones, and those who have managed to scrape together a bit of education. People are surprised when a minor riot takes place in a location and the victims are church workers. And when, as happened only last week, the students of a mission college, run amok and burn and destroy any evidence of Christian ideals and teaching—'Why', people say, 'they're just savages. They don't deserve to be treated decently'. And they say: 'You'd think they'd appreciate what is being done for them, wouldn't you?'

"But you see, they are appreciating it. They have seen that underneath our charity there is too little evidence of a real will to better their lot and accept them as equals. And they

are more and more rejecting our religious convictions as being stained by *apartheid* as any of the Government pronouncements. We in the churches are no longer the bridge between black and white. We are more and more being classed simply as whites. And as the Bishop of Johannesburg has said so rightly, when the trouble comes, as come it will, the badge of death will be a white face.

"This is what we are all afraid of now. And it is, of course, a bad thing that we should be motivated in all that we do by fear. If we had been more concerned years ago with the lot of the African, and if we had had more courage and foresight and faith, we should have worked on this colour problem in the days when there was yet no need to be afraid—and probably we would have worked the better for that. Now we can do very little. We are tied by legislation which makes most of what we ought to be doing illegal. The Government has gone a long way down the path it has chosen to keep this problem under control. We believe—indeed we know—that it is the wrong path. But we have no opportunity now of persuading either the Government or the people to take our alternative path."

CALL TO U.S.A. AND GREAT BRITAIN

At the recent Afro-Asian Conference in Bandung¹, two South African observers to the Asian-African conference, Mr. Moses Kotane and Mr. I. A. Cachalia asked the governments of Britain and the United States to take a firm, bold stand against the "police slave state" racial policies of South Africa.

They also appealed to delegates to the conference "to use their good offices internationally to persuade other civilised and freedom-loving nations of the world to prevail on the Government of the Union of South Africa to abandon its unjust and disastrous policy of *apartheid* and racial discrimination."

Mr. Kotane and Mr. Cachalia, said they had travelled to Bandung without passports. In a joint statement they said: "We are convinced and confident that the Government of South Africa could be forced to reconsider its reactionary and inhuman policy if all the nations which do not approve of policies and practices of racial oppression and discrimination, would boldly take a firm stand against such practices." (*Pretoria News*, April 18, 1955.)

OPINIONS FROM THE FEDERATION

After a visit to the Union, Sir Roy Welensky, Federal Minister of Transport and Communications, said in Southern Rhodesia that *apartheid* was costly as a short term policy and doomed to failure as a long term one. He added: "As I said recently in Cape Town, and I repeat now, you cannot hope to pursue successfully a policy of repression. It is costly, it is dangerous and it is utterly futile. What is more, it is quite unrealistic. You have only to see in factory after factory in South Africa, Africans working at skilled tasks with skills officially unrecognised to appreciate just how unrealistic it is. And yet, we who oppose this doctrine of *apartheid* are called unrealistic." It was, he declared, most realistic to endorse a policy of partnership which acknowledged that the African could have what he earned but no more than what he earned. It was realistic to acknowledge that as the African advanced

in earning power, so his standard of living would rise, his outlook widen, his behaviour improve and his social standards draw nearer to those of civilised people. "It is realistic to hold," said Sir Roy, "that permanent repression of a vast mass of African people is impossible." (*Federation Newsletter*, May 28, 1955.)

In editorial comment, the *Central African Post* referred to recent events in South Africa, and said: "The successful implementation of *apartheid* in a complex, industrialised community is, from any knowledgeable standpoint, an impossibility, and it is therefore not surprising to find the fascist mentality heading for its logical extremes. It may have been more than irritating for the Nationalists to see the fine schools provided for Africans boycotted; but to go to the length of barring the innocent small pupils for evermore from receiving the benefits of education is surely giving the concept of the chosen people, the rulers, just a little too much of a bang.

"And, even if there was a subversive caucus influencing students at Fort Hare, was there any real need to make such a dramatic gesture as closing the college down and sending 400 young men and women back to their homes? . . . The arm-chair critic from abroad frequently tells us that Africa has not much time to settle its burning problems. It is quite true. But looking at it from a Rhodesian point of view, we find an outlook in reverse. Here, whatever the agitators may say in the backveld, we are offering the African a chance to show what he can do, in complete contradiction to what is happening in the Union."

SIMONSTOWN

The United Kingdom Prime Minister, Sir Antony Eden, announced in Parliament that the Royal Navy base at Simonstown is to be transferred to South African control to serve as a base for an expanded South African fleet.

In a reply to a question from Mr. C. R. Attlee, Leader of the Opposition, as to whether there was to be any discrimination between Europeans and non-Europeans in employment, Sir Anthony said that the government had been carefully into the question of the work people at the base. There were very adequate safeguards for those now employed there.

Details of the agreements with the South African Government are set out in a White Paper¹. In it, the Union Government confirm that there will be no bar to the recruitment and employment of non-Europeans, that there will be no discrimination based on colour in the rates of pay for comparable jobs, and that non-Europeans, once recruited, will have the same security of tenure as Europeans.

WEST AFRICA

Nigeria

FORESHADOWING THE 1956 CONFERENCE

In a series of articles entitled "Future of Nigerian Federalism" (*West Africa*, May 28—July 2, 1955) Mr. Okoi Arikpo set out some of the problems which, in his view, would have to be considered at the 1956 conference on the constitutional development of Nigeria. He expressed the hope that despite

¹ See Digest Vol. III No. 1.

¹ Cmd. 9520. H.M. Stationery Office 9d.

Mr. Lennox-Boyd's advice against "fragmentation", all shades of opinion on every aspect of the constitutional future of the country will be discussed at the conference. Most people accepted a federal constitution as the compromise which offers the best hope for Nigerian unity. But what form this constitution should take is a matter on which there is at present no general agreement and one which must be given top priority at the 1956 conference.

The present three regions, he said, correspond neither to physiographic cleavages nor to socio-cultural areas. Once political regionalism was accepted as the basis of Nigerian constitutional advance, all the deep rooted distrust and passion among minority groups were recrystallised, and it is natural and justifiable for the smaller cultural groups to strive for some constitutional arrangement to give them an independent and effective voice in the highest councils of the country, while allowing them freedom to manage their local affairs in their own way under the general guidance of the Federal Government and subject to the over-all interests of Nigeria.

The division of Nigeria into ten states is recommended; these states to coincide roughly with tribal and linguistic groupings. A boundary commission to work out details and settle conflicting claims would have to be set up by the 1956 conference.

Mr. Arikpo stated that his purpose was to discuss how best to organise a strong, efficient and stable government for an independent Nigerian nation—"a government not only to command international recognition and respect, but to assume the leadership of the negro world as well as make a contribution to world peace and stability." He said that nowhere in the British colonies is loyalty to and confidence in Britain greater than in Nigeria's Northern Region. British tact and statesmanship could still assist in welding North and South together in Nigeria.

DEVELOPMENTS IN HIGHER EDUCATION

A Bill to establish the "University of Nigeria" in the Eastern Region has been passed by the Eastern House of Assembly. The Minister of Education, the Honourable I. U. Akpabio, spoke on the need for a certain type of university, and said that more than half the students at Ibadan were from the East. Very large numbers were also in the United Kingdom, and while they were most grateful for the sympathy with which their appeals for their students to be placed in universities in the United Kingdom were met, this created an obligation upon the Region to do all it could to train its own people so that they could call upon universities in other countries principally for post graduate assistance and for special requirements which could not be met locally.

Mr. Akpabio described the great need for professionally trained men and women, and drew attention to the large number of vacancies in the public service for senior posts. In pursuance of the policy of Nigerianisation, men were now being promoted to senior posts; men with experience and intelligence, but without the benefit of a university education. (*Nigerian Newsletter*, May 28, 1955.)

Mr. Gerald Moore in an article entitled "Higher Education in Nigeria" (*Colonial Review*, June, 1955) summarised the present Government of Nigeria's policy towards education and emphasised the present lack of balance between the fully-

educated minority and the great mass of illiterate or semi-literate people from whom the intellectuals are more or less isolated. "The Nigerian intellectual, isolated from his past and often from his family, is at once a sort of outcast and a potential leader. This emergence of a small educated élite poised above a great gulf of ignorance and backwardness presents what has been defined by Professor Seton Watson as the classic revolutionary situation. It is a situation in which the élite has both the temptation and the opportunity to seize power for itself and to make sure of retaining it. It is a situation ripe equally for revolution and for the dictatorship that almost invariably follows it. When we speak of culture in this context we shall see that its primary task is to bridge this gulf between the élite and the mass of the population; to restore to the intellectual a sense of belonging, of integration with his people and the past of his race; to give ordinary men and women a vital and critical relationship with their leaders, which can only follow upon an easy familiarity with the machinery of political liberty and social emancipation. Emotional worship of the leader because he leads—because of his unreal and dangerous eminence—must then give way to selective approval of those who lead well.

"Fundamental Education—unfortunately and misleadingly called Adult Education in Nigeria—seeks to bridge this gulf from below; the task of Higher or true Adult Education is to bridge it from above. All the hard work of the fundamental educationalists will only be made fruitful if they are receiving this help at the other end of the problem. Only higher education can give that dynamic conception of knowledge as a moving and seeking process, as something more than so many pieces of received 'know-how', that will prevent premature arrogance and complacency. Let it set competitive standards high enough to ensure that only the best reach the top and that they have time to prove themselves before getting there. Higher education in Africa must itself seek to destroy some of the associations which now cling to it; it must cease to be regarded primarily as the entrance to a career of money-making and it must overthrow that literal reverence for qualifications which so often prevents people from looking at the man behind the degree, from judging him by what he is rather than by what he has."

While agreeing that the strictly vocational side to higher education is of immense importance in Nigeria today, Mr. Moore said that in his experience people rarely forgot this aspect. It was the cultural function, the *social idea*, that was too often ignored.

Another urgent task, in Mr. Moore's opinion, closely related to adult education is to raise the quality of the national press.

THE WESTERN REGION REJECTS THE LLOYD REPORT

The Report of Mr. R. D. Lloyd, Senior Crown Council, who was appointed sole commissioner to enquire into the causes of tension in the Oyo Division of the Western Region since April, 1953, and the riots in September, 1954, has now been published. The Western Region Government however find themselves unable to accept the findings, and have rejected the report.

Ever since 1952 there has been tension in Oyo between the Alafin (the ruler of Oyo) and his chiefs and people. Chieftaincy

disputes, alleged victimisation of the people by the Alafin's family, alleged interference with court proceedings and setting aside of judgments and other matters were the cause of bitter feeling between the Alafin and his supporters on the one hand and the anti-Alafin party led by the Bashorun on the other. The Bashorun is the next most powerful chief in the Oyo after the Alafin, but he may never become Alafin.

With the introduction of the present constitution and the campaigning between the Action Group on the one hand and the National Council of Nigeria and the Cameroons on the other, the pro and anti-Alafin parties in Oyo became involved in the political struggle. The anti-Alafin party backed the Action Group and the pro-Alafin party backed a local party that had the backing of the N.C.N.C. Matters came to a crisis in September, 1954, when serious riots broke out in Oyo between the two factions, and as a result of these riots, a Commission of Enquiry was set up.

In the course of his report, Mr. Lloyd supported only one of the allegations against the Alafin without reservation. He said that the Alafin was "entirely wrong" to make use of his position to interfere with court judgments. Giving his recommendations he said: "Many allegations have been made against the Alafin which, in my opinion, were not justified." He stated that while there was no doubt that the Alafin had not always agreed with the Oyo District Southern Council, whose decisions it was his duty to do all in his power to carry out, there was no doubt that he had the interests and welfare of the people of Oyo at heart. Mr. Lloyd expressed his confidence in the peaceful progress of the district, and said that he could therefore see no reason why the Alafin should continue to remain in voluntary exile. However he recommended that he should not return home until after the elections, which are soon to be held in Oyo, had taken place.

In the debate in the Western House of Assembly the leader of the Opposition, the Hon. D. C. Osadebay, and other N.C.N.C. members demanded the return of the Alafin. He alleged that the Government had already decided to banish the Alafin, even before asking for a Commission of Enquiry.

The Western Region Government, led by Mr. Obafemi Awolowo, however, reaffirmed their decision to order the suspension of the Alafin and his banishment from the Oyo Division and Ibadan Province until further notice, since in their opinion, his return to Oyo would "constitute a threat to peace, order and good government".

The Federal Government of Nigeria has stated that the question is the sole responsibility of the Western Region under the constitution which came into force on October 1, 1954. (*Nigerian Newsletter*.)

COMMENT ON THE CONSTITUTIONAL DISPUTE IN THE EASTERN REGION¹

At the annual convention of the National Council for Nigeria and the Cameroons, Dr. Azikiwe devoted part of his presidential address to his dispute with the Governor of the Eastern Region, Sir Clement Pleass, over the latter's reserved powers. *The Economist* (May 28, 1955) commenting on his speech said: "Unfortunately what Dr. Azikiwe said only served to confirm the suspicions of his motives that he has managed to arouse. Dr. Azikiwe raised the matter from the

particular issue of the Appropriations Bill to the general level of an accusation that senior civil servants (he was careful to specify that it was Permanent Secretaries to whom he was referring) were deliberately obstructing the implementation of government policy. He then went on to complain that such civil servants cannot be compelled to 'co-operate' because the constitution places appointments and conditions of service in the hands of the Governor, advised by an independent public service commission.

"Perhaps this outrageous attack on civil servants who have only recently opted to join the Eastern Region civil service, should not be taken entirely at its face value. It was made during the opening address to a convention that promised to be critical of the party executive and Dr. Azikiwe may have been trying to raise a hue and cry to divert attention. Yet such undocumented and unjustified attacks gravely damage the prospects of any long term settlement of the dispute, and will hardly serve, as Dr. Azikiwe seemed to hope, to ward off criticism that the Eastern Region government has little to show for its sixteen months in office. . .

"In the context of Dr. Azikiwe's speech the dispute now seems to have become a move in the manoeuvring that is just beginning for the next constitutional conference in 1956. Dr. Azikiwe now has his favourite weapon—a struggle with 'autocracy' as he calls it—with which to whip up the enthusiasm of his followers. Naturally, he has already called for the abolition of the Governor's discretionary powers and the limitation of the reserved powers."

The Gold Coast

DR. NKRUMAH AND THE ASHANTI

THE Prime Minister, Dr. Kwame Nkrumah, speaking at a mass meeting in Accra on the C.P.P.'s sixth anniversary, called upon his followers to face present issues with patience and equanimity 'because I have always believed that greater strength lies in humility'. He congratulated C.P.P. members in Ashanti on 'forebearance and fortitude in the face of intense provocation, trials and tribulations'.

Describing the political situation in Ashanti, he said, "In June of last year the people of our country chose the Convention People's Party. We were voted into power after our people had studied our programme as set out in our election manifesto. The gains of our opponents were limited to particular localities. There is no other party with a more nation-wide appeal than ours." The C.P.P., he continued, was "a disciplined force driving towards the emancipation of our own Ghana and at the same time giving inspiration and guidance to the rest of Africa"; the masses had accepted the party's policy as superior to any that could be offered by their political opponents.

Referring to "so-called resignations of certain intellectual snobs, traitors, and saboteurs from the party", he said they regarded this as "a natural purge" on the part of the C.P.P. "I have always expressed the need for a strong and well-organised opposition party in the country and in the Assembly. My advice to opposition parties has always been that they should organize themselves and choose reliable and trustworthy leaders—not saboteurs and political renegades, and that they should produce a national policy that the people can accept.

¹ See Digest Vol. III, No. 1

If their plans and their record are better than ours they will win."

The Prime Minister made another appeal to the opposition to "come together as a party and discuss their grievances with us man to man". The Government had exercised much patience and discretion in dealing with the "federation movement" but in future it might have to take "more disciplinary and positive steps to safeguard the life and property of the people of this country".

"What is happening in Ashanti today," he continued, "is feudal revolt against a democratic way of life", and stressed that "the present political issue is a test as to whether parliamentary democracy will live and thrive in this country or whether we shall revert to feudal tyranny and despotic rule". (*West Africa*, June 18, 1955.)

ASHANTI REPRESENTATIVE IN LONDON

Professor K. A. Busia, Professor of Sociology at the University College of the Gold Coast, is in England as the emissary of the Asantahene (King of the Ashanti) and other opposition parties.

The object of his visit is to get the reaction of the Secretary of State for the Colonies and members of Parliament to certain proposals before he formally puts them to the Governor of the Gold Coast on his return there. The proposals are that an inquiry should be held into allegations of corruption, that a constitutional expert should visit the Gold Coast, and that a new constitution should be discussed and fresh elections held.

Dr. Busia said that the lack of an effective opposition in the Gold Coast was a serious threat to democracy. At present no alternative to the present Convention Peoples' Party government could be found. He also alleged that threats of physical harm were being used to prevent an opposition from being organised. He himself had suffered from this. The Ashanti nation wished to manage its own affairs, and a federal form of government would give the people a chance to follow their own traditions. The chiefs, for example, were an essential part of Ashanti culture, and the Government tended to regard them as museum pieces. A federal constitution would also make it possible for an effective opposition to emerge, first on a regional and then possibly on a national basis. The demand of the National Liberation Movement for a federal form of government was supported by several other political parties in the Gold Coast. (*The Times*, July 11, 1955.)

THE MINISTER OF TRADE AND LABOUR VISITS LONDON

Mr. Ako Adjei, Minister of Trade and Labour, during his visit to London in June, said that his chief concern was to interest British firms in the development of limestone (for cement manufacture), oil, and iron ore. He said that until Africans acquired the necessary capital and technical skill to develop new industries, these would have to come from abroad. The Gold Coast Government had no intention of nationalising the existing major industries such as mining. The lack of private capital on the spot had compelled the Government to start some industries, such as the brick and tile factory at Accra, through the Industrial Development Corporation. The corporation would sell shares to individual African business men when they had enough wealth to invest in industry. (*The Times*, June 24, 1955.)

Togoland

ELECTIONS IN FRENCH TOGOLAND

ALL thirty seats in the new Territorial Assembly were won by representatives of parties supporting the continued adherence of French Togoland to the French Union. The *Parti Togolais du Progres* (P.T.P.) won the fifteen seats in the south, and the *Union des Chefs et Populations du Nord* (U.C.P.N.) winning fifteen in the north.

M. Avajon (a P.T.P. senator and assemblyman) has said that "by giving its massive support of the two parties which are determined to keep Togoland within the French Union, the population of Togoland has shown its political maturity and has thwarted the intrigues of the separatists."

However it must be remembered that the parties supporting Togoland unification (the *Comite de l'Unite Togolaise*—M. Sylvanus Olympio's party—and *Juvento*—the Togoland Youth Movement) both boycotted the election. For this reason voters were given no opportunity to express their views on whether Togoland should be unified or continue its association with the French Union. The only course supporters of unification of the two Togolands could follow, was to abstain from voting.

Commenting on the reasons for the C.U.T. and *Juvento* decision to take no part in the elections, *West Africa* (July 2, 1955) said: "Part of the answer seems to lie in the character of the new constitution, embodied in the Law of April 16, 1955, under which the recent elections were held. . . Its main new feature (apart from a certain enlargement of the powers of the Territorial Assembly) is the provision for the creation of a new executive organ, the *Conseil de Gouvernement*, consisting of five members elected by the Assembly, and four nominated by the Commissioner of the French Republic, each of whom is to have quasi-ministerial powers—what is described as a 'sector of activity'. But the powers of these elected quasi-ministers, or councillors, seem likely in practice to be fairly strictly limited: first, by the fact that matters involving legislation are, necessarily, excluded from their control, as from that of the Assembly; second, by the position of the French Commissioner, who, as chairman of the Council, with a casting vote, can ensure that the official view predominates; and, third, by the fact that the Council's decisions can, in certain circumstances, be overruled. . .

"From the standpoint of a Togoland nationalist it might be argued that, even if the C.U.T. could succeed in winning the elections under the new constitution it would scarcely be nearer to enjoying real political power. But in fact, it is very doubtful whether, under present conditions, C.U.T. and its allies could succeed in winning an election. The reason for this, in the French official view, is that only a small minority of French Togoland are nationalists. In the nationalist view the reason is rather that the Administration consistently discriminates in favour of the two pro-French parties—P.T.P. and U.C.P.N.—and against C.U.T. and *Juvento*. In the existing political climate nationalists claim, Togoland Government officials who wish to keep their jobs, chiefs who want to get a school built, or a road, students who want grants, find it politic to join, or openly support, P.T.P.—though they may pay a subscription to C.U.T. or *Juvento* on the side. . ."

C.U.T. and its allies are likely to contest the validity of the recent elections, when the United Nations' Visiting Mission comes to Togoland in August and September.

Sierra Leone

REPORT OF THE INQUIRY INTO DISTURBANCES¹

THE Commission appointed to inquire into the strike and riots in Freetown in February published its Report on June 22, 1955. It stated that the main responsibility for the strike and its consequences lay upon one man, Marcus Grant, general secretary of the Artisans' and Allied Workers' Union. The workers' case for a wage increase to meet the increased cost of living was basically sound, and the employers, while admitting this in principle, had perhaps been willing to concede too little. But Grant and his associates had been extravagant in their first claims, and had put themselves clearly in the wrong by refusing to accept arbitration.

As regards the rioting on February 11 and 12, the commission's main concerns were to trace the connection, if any, between the strike and the riots and to determine whether the amount of force used by the police and military was excessive. Their findings on the first point were inconclusive: on the second, their judgment entirely vindicated the action of the authorities.

The Government of Sierra Leone has published a statement accepting the main conclusions of the report and promising to give serious consideration to its recommendations. General reaction to the report in Freetown has been favourable. The Artisans' Union, however, at a meeting on June 9, passed a vote of confidence in Marcus Grant, who, they said "has been maliciously and wickedly labelled ambitious, unscrupulous and worthless because he carried out the express demands of the union". They unanimously resolved to go on strike again unless the Government granted their demands. (*The Manchester Guardian*, June 23, 1955.)

OTHER AFRICAN TERRITORIES

Belgian Congo

AFRICANS' ADVANCE

THE British Press gave enthusiastic descriptions of King Baudouin's State Tour of the Belgian Congo. After referring to the tour Mr. Philip Gordon, writing in the *Daily Telegraph* (June 21, 1955), described the basis on which the Belgian Government's usual claim for the Congo rests: "This is to the effect that the Belgians, by giving the native's stomach and health priority over his politics, his Christianity precedence over his self-government, and making his acceptance of civic responsibility a condition of his social advancement, have created a system which bids fair to outlast other European influences in Africa. But business and advanced official opinion shows signs of believing that it is sitting on a volcano."

¹ See Digest Vol. II, No. 8

"Every big employer insists on showing visitors how much he does for his native workers, even beyond what the law requires. The companies are furthering the advancement of the new generation of black workers, subsidising the mission schools and providing craft-training and technical secondary schools of a high level."

Mr. Gordon continued: "I have seen topographical surveys made by native students with a precision and clarity which would do credit to any ordnance surveyor. I have talked with a native mill manager who was a technical school graduate; and with a head fitter, 'a self-made man', whose father was a cannibal chief. It will be only a short step from this to the admission of Africans to posts in the higher management and administration of European-owned companies."

"The governing fear is not that of Communism, despite the political offenders, said to be confined in inaccessible Inongo. It is a fear of what will happen to European colonisation, and European capital, in the days of Africa for the African."

COLONIAL AND COMMONWEALTH MATTERS

DEBATE IN THE HOUSE OF COMMONS

IN the course of the debate on Colonial Affairs (June 21, 1955) many questions were put to the Secretary of State for the Colonies regarding political, economic and social progress in the African colonies.

Mr. Creech Jones (Labour) opening the debate for the Opposition urged that the time had come for a revision of the law regarding the wide use of capital punishment in Kenya. He dealt also with the transfer of land from Somaliland to Ethiopia, and asked the Secretary of State "because of the difficulty of this matter" not to oppose the moves being made to bring it before the United Nations, and to "condone the transfer of this case to the study of the International Court."

Mr. Creech Jones expressed particular concern about university development in West Africa, and stressed the need for extended secondary educational facilities. He said: "We have reached the point when some of the universities we have set up in recent years are being endangered because the secondary schools are not producing students in sufficient numbers and of a sufficiently high standard to fill the places in the universities."

Concluding his speech, Mr. Creech Jones stated: "There is a new political awareness in the world, which will not countenance any claim of superiority or the practice of racial discrimination. In our own territories we have a number of very formidable problems which have to be solved at an early date. There is the colour bar in the Copperbelt in Northern Rhodesia. We have, some way or another, to find a solution to that problem. We practise political discrimination in Central Africa and it is about time that was brought to an end. We practise land discrimination at the expense of the Africans in East Africa, and this discrimination and these colour bars tarnish our record as an imperial power. The sooner we get rid of these evils the better for us all."

The Minister of State for Colonial Affairs (Mr. Henry Hopkinson) devoted his speech mainly to economic and social developments in the colonies. These developments he said were bound to be long-term and continuing, requiring very great efforts in many directions. "The mobilisation of resources on the one hand, the setting of objectives on the other, the detailed programming of plans for the improvement of the basic facilities which Governments are able to provide, and then, finally, the seizing of opportunities by the local people to develop and to improve their own means of livelihood—all this is part of a process, and the same process requires, particularly in the circumstances of the Colonies, that there should be a positive attitude towards investments from overseas." Giving figures which he described as "indications of progress", Mr. Hopkinson said: "Development expenditure has maintained its momentum and the level of gross capital formation in the territories last year was about the same as in 1953, which was already at a very high level. During 1954, about £100 million of external public and private investment came into the territories of which about £35 million was public and £65 million private."

"The volume of colonial exports of primary products set a new record in 1954 being about 5 per cent. up on 1953, and 40 per cent. above pre-war. The value of these exports showed an increase over 1953 in spite of the decline of the price of certain very important commodities such as sisal and palm oil." He added that although the value of imports into the colonies fell in 1954 by about 2 per cent. this was more than accounted for by the general fall in import prices.

Dealing with labour and industrial relations, the Minister said: "The salient fact is that colonial trade union organisation is continuing to show progress, but more towards the consolidation and strengthening of existing unions than in the direction of setting up new unions. . . Of course work in this field, as in many others, presents particular problems in individual countries. In Kenya, for example, the trade union movement was seriously weakened by the association of some of its officials with Mau Mau activities, but the Kenya Government are doing all they can, through the Labour Department to overcome this weakness."

Referring to the co-operative movement in the colonies, Mr. Hopkinson said that there were about 7,500 registered societies, with over 960,000 members.

Speaking of the developments in the social field, the Minister dealt only with medicine and education. He reported that more and more attention was being paid to the treatment of tuberculosis throughout the Colonial Territories. Increased facilities for technical education had been provided both in the Kumasi College of Technology in the Gold Coast, and in the Royal Technical College of East Africa in Nairobi. The latter had appointed heads of its departments of engineering, commerce, architecture and science, and "as a genuinely inter-racial institution, the college may be of profound significance in the development of the plural society of East Africa."

In primary education the most spectacular progress was probably in the Western Region of Nigeria, where primary education has been made available for all who desire it. In the Gold Coast which is also approaching the achievement of universal primary education, the emphasis at present is on the provision of trained teachers to cope with the increased

numbers. In Uganda the output of trained primary school teachers had increased from 362 in 1950 to 843 in 1954. In Northern Rhodesia the Government increased their expenditure on African education by some 50 per cent. in 1954¹, and sixth form work had now been started in Munalu, so as to prepare candidates for entrance to the University College of Rhodesia and Nyasaland.

Mr. Douglas Nairn (Conservative) in a maiden speech said that he spoke as a citizen of Southern Rhodesia where he had lived for seven years. He said that the basic problem of Rhodesia was one which hardly exists at all anywhere outside Africa, and that this was far from being a problem of colour. "The real problem is how to create one nation when the people within its boundaries vary in their degree of civilisation . . . The problem is aggravated by the fact that the backward element, although it is decreasing, is at present time far greater than the more advanced, and by one other definite fact. That is that it is far simpler and a far quicker process to educate than it is to civilise."

Mr. Nairn said that the task of making the "federal experiment" in Central Africa work "rests fairly and squarely on those people who have gone out from this country and have made their homes there. Their future and the future of their children are at stake and nobody realises more than those people that it is only one the foundation of co-operation, and friendship between the races that it is even safe or wise to build, while we in this country can only help or hinder. We cannot do their task for them . . ."

Most of the problems which the Federation has to face are common problems, but in addition, this large new Federation is completely landlocked for all time many of its lifelines must depend upon the good will and friendship of its southern neighbours. I am convinced that if we adopt an attitude of understanding and restraint we shall be able to help both the Federation and the Union of South Africa, but if we cannot manage to exercise this self-control, I do not know what influence may in future gain the upper hand in Africa."

Mr. James Johnson (Labour) dealt particularly with the new constitutional reforms in Nyasaland². He said: "On this side of the House we were very disappointed, and there will be millions of Africans equally disappointed. The Colonial Secretary has said that he has not been to Nyasaland but hopes to go in the near future. I hope that when he goes, which he should do at the earliest possible moment, he will meet people like Mr. Joseph Sangala and Mr. Manoh Chirwa, and find from them how they feel about this Constitution."

"Before the proposed change, we had three Africans out of twenty-one members on the Legislative Council and now we are to have 5 Africans out of 23. The Secretary of State in his written answer said:

'At the same time there must be an eager—indeed, an adventurous—searching after some new form of constitutional arrangements which will assure security and opportunity to all . . . If the Colonial Secretary thinks that to put two more Africans on the 'Legco' and make it 23 instead of 21 members is bold and adventurous indeed, I do not think so, and nor will the Africans themselves in the far-flung and beautiful colony of Nyasaland.

¹ See also p. 13.

² See also p. 9.

"The Colonial Secretary also said: 'I do not consider that the time has yet come for the inclusion of an African on the Executive Council'. Why not? Tanganyika has one; Uganda has one; Kenya has one. Here we have the only 'black African' state in these Federal Territories, and the Africans ask if they are second-class citizens, because all their neighbours can have one member on the Executive Council, but they cannot. There are fewer than 4,000 whites in the Colony and more than 2½ million coloured people. They say that it is a black state—unlike multi-racial Southern Rhodesia. We hoped that this constitution would go the same way, with modifications, as that of Uganda. . . . I am disturbed when I look at the constitution. Has the Secretary of State been at all influenced by consideration of the feelings of people in the Federal capital of Salisbury?"

"... Again, why cannot the Africans in Nyasaland have some form of franchise? The Indians in the Colony have got it and so have the Europeans. Why cannot the Minister think in terms of Kenya . . . They really must be given something substantial to convince them that, as an alien people in their country, we do mean to bring them along with us, quickly or slowly, according to local conditions."

Mr. Bernard Braine (Conservative) said that both the Minister of State and Mr. Creech Jones had referred to the rapid changes which are taking place in the colonial territories. "It is certainly change of a peculiar kind", he said, "which sees university colleges being established in territories where, 30 or 40 years ago, there was not even a primary school. It is change which sees all the apparatus of modern living, with factories rearing themselves to the skies, new mines sinking into the earth, cultured colonial doctors, lawyers and politicians all moving in their natural sphere and yet at the same time bewildered peasants being sucked into the modern wage economy, not quite understanding what it is all about, and millions more still left on the land, cultivating it in much the same way as their ancestors have done for centuries."

"All this may make for what we call economic progress, but it is exacting a heavy price in Africa and also elsewhere—the disintegration of traditional societies, the undermining of traditional loyalties and the creation of what one might describe as a spiritual vacuum. . . . While we talk about our achievements in the colonial field, it is foolish to ignore, as we do sometimes, the ferment in men's minds. I have often been hurt, as I suppose other hon. Members have been, by the way that intelligent Africans after a recital of all the benefits that British colonial rule has conferred upon them, brush it aside and reward us not with gratitude but with misrepresentation."

"For this there is a perfectly simple explanation. To those whose own society is disintegrating beneath them, who are seeking an outlet for self-expression, who are trying to find their self-respect in the modern world, our patriotism and half-concealed superiority is crushing, even when it is not meant. I would say that at the root of the struggle in the Colonial Territories is a struggle for status. That is natural and inevitable. It can be helped and guided. But it can turn sour, become bitter, and dangerous only—and this is what I wish to emphasize—when it is ignored."

Mr. Braine also spoke on the pressing need for an effective and drastic agricultural change, and said that he believed that

"only by the encouragement of the growth of a new class of yeoman farmers, people with a stake in the prosperity and good government of their country, can we ever hope to erect enduring democratic institutions in the Colonial Territories."

Mr. John Dugdale (Labour) in the final speech from the Opposition benches called for an increase in wages paid to workers in many parts of the colonies. He also questioned the *bona fides* of the Conservative Government in their support for the Co-operative Movement in the Colonies. Referring to the fact that there had been some development in the Movement, particularly "the famous Co-operative at Mount Kilimanjaro, due to the enterprise of a great man who did fine work there, and who was honoured in the whole of that district," Mr. Dugdale said: "By and large, however, there was little development of the movement in the Colonies until the Labour Government sent out co-operative officers to stimulate its growth. It has grown very successfully. I understand for instance, that in Uganda today there are about a thousand co-operatives, many of which are quite large. I hope that I shall be proved wrong, and that the Conservative Government will develop these co-operative societies and will do as much as we should have done."

Mr. Dugdale also asked for an assurance that the Government was not contemplating "further acts of the same kind" as the setting up of the Central African Federation. He said: "We believe it to be vitally important that the Government should make it abundantly clear that there is no intention whatsoever of setting up a similar federation for East Africa." He referred to a speech made by the former Secretary of State, now Lord Chandos, and said "it was a speech which should never have been made, and one which cannot be contradicted too often."

The Secretary of State for the Colonies (Mr. Alan Lennox-Boyd) enumerated the many representatives from the Colonies who were at present in London. These included two official delegations from Uganda, the Chief Minister of Sierra Leone, Dr. Margai, and the Governors of Tanganyika, Uganda and Kenya. The new Governor of the Federation of Nigeria had just gone out to take up his post.

Mr. Lennox-Boyd said that he was surprised that Mr. Dugdale had "lent himself to reviving once again the suggestion that we may be trying to bring about, or preparing to bring about a federation in East Africa against the wishes of the inhabitants. . . . I here again categorically reiterate that there is no question whatever of proposing a federation in East Africa against the wishes of the people of any territory."

The Secretary of State said that discussions on the new Buganda agreement between his advisers and the Uganda Drafting Committee had taken longer than he had hoped, and he had asked the Governor, Sir Andrew Cohen, to stay on in London to take part in the talks.

Commenting on Mr. Braine's statement on the needs for agricultural change, Mr. Lennox-Boyd said that all but two of the European staff required for the Swynnerton plan have now been recruited.

Dealing with Kenya, Mr. Lennox-Boyd said: "I should like to draw the attention of all Members of the House to the recent judgment of Mr. Acting Justice Law, who drew attention to the high standard of discipline in Kenya which had been attained by the tribal police and the home guards in the

Central Province and of their reluctance to kill even obvious terrorists if there was a chance of capturing them, sometimes at grave personal risk to themselves. He said: 'This state of affairs reflects the greatest credit on these members of the Administration and Police responsible for the training and control of the loyal Kikuyu forces, and gives me the confident hope that in due course, when the affairs of the Kikuyu people come to be finally settled after the Emergency is over, this will be done in a spirit of fairness, humanity and justice and not in one of spite and revenge.' In view of the many sweeping statements about the conduct of justice in Kenya, which often are grossly exaggerated, I hope that that tribute will be welcome by hon. Members on all sides of the House."

On Nyasaland, the Secretary of State said: "I gave the problem of Nyasaland most searching examination, and I arrived at my decision only after most rigorous thought. When the hon. Gentleman (Mr. James Johnson) spoke of a bold and adventurous approach, I was not then referring to a mathematical increase in African representation, but an effort to find some alternative to parity in Nyasaland, which as my answer shows, has become a sort of magic word conjuring up all the emotions on which racialism thrives . . . I can assure the hon. Member that the decision was mine and mine alone. I discussed it with the Governor of Northern Rhodesia . . . I have to pay regard to the situation in the neighbouring territories, and I am obliged by statute to take counsel with the Federation, but I am not obliged to follow its advice. In this case I can assure the House it is my own decision and mine alone."

COLONIAL STUDENTS IN BRITAIN

In a survey of colonial students in the United Kingdom and Irish Republic for the academic year 1954-5 the Colonial Office states that compared with 8,000 students from the British Colonies in Britain in 1953 and 1954, there are now nearly 10,000 in the United Kingdom . . . More than half of the students—5,207—are in London, 3,415 are in other parts of England, 582 are in Scotland, 154 in Wales and 83 in Northern Ireland.

From East and Central Africa there are 1,107 students and from West Africa 3,759.

The wide variety of subjects studied is of interest. More than 2,000 Colonial students are training as nurses in United Kingdom hospitals while nearly 1,000 are studying medicine. Law and engineering account for over 1,000 each, and other subjects include the arts—508, education and teacher training—506, science—378, economics—239, agriculture—115, commerce—75, and social science—60.

More than a quarter of all Colonial students at present in the United Kingdom are holders of scholarships provided principally by Colonial Governments or from the sum of £1 million set aside for scholarships from the U.K. Colonial Development and Welfare Fund. (*Commonwealth News Agency*, June 29, 1955.)

STUDENTS WANT REVIEW OF SITUATION IN EAST AND CENTRAL AFRICA

A conference of delegates representing 11,000 African and Asian students in Britain unanimously passed a resolution urging the British Government and people to review the

situation in East and Central Africa "in the interests of peace and racial unity." It said political representation on the basis of population and without bias for race or colour, was the only way of ensuring a lasting resolution to the areas' problems.

The resolution, proposed by Nigerian students, also called for a new attempt at negotiations to end the fighting in Kenya. (*Central African Post*, May 16, 1955.)

AMERICA & AFRICA

ASSISTANCE FOR COMMUNITY DEVELOPMENT IN KENYA

THE representatives of the U.S. Foreign Operations Administration (which exists to help in the over-coming of poverty and backwardness and so remove causes of international and inter-racial tensions) have agreed to the provision of £20,314 over a period of two years towards a scheme undertaken by the Nakuru County Council for a programme of Community Development. The Kenya Government has promised £4,121, while the County has to raise and service a loan of some £55,000 for the construction and purchase of buildings, which will, of course, remain as a capital asset to the County. In addition charges of £13,000 spread over two years, have to be borne by County funds.

The plan covers the establishment of five centres, the first two of which are to be at Subukia and Mau Narok, and also includes an expansion of facilities in townships. Ample provision is made for staff and for educational services. An information cinema van is an early priority.

Describing the scheme in the *Kenya Weekly News* (May 13, 1955) Mr. Brian Goord said: "Community Development means to many people 'Welfare for Africans' something free that will never be appreciated and which will be a sheer waste of money. This is not the conception of the County Council, which regards it as a true function of local government whereby the African is given a lead and facilities through which he can raise himself to a better standard of life. In other words it is the creation of opportunity for the African to help himself."

AFRICAN LIBRARIES PROJECT

The La Verna Foundation in the United States has a new undertaking in an African Libraries Project. It was suggested in part by the memory of Miss Margaret Wrong, former Secretary of the International Committee on Christian Literature for Africa, in London. The purpose of the project is primarily to aid public libraries and reading rooms essentially for Africans to secure magazines and books, with emphasis placed on materials in the English language. Preliminary contacts have been made in all the African countries where English is a common language, and materials are already being sent to about twenty-five libraries.

The La Verna Foundation¹ point out that if this project continues as it has begun the resources needed for it will outstrip those available. They think that there are individuals or groups who will be glad to take some responsibility for a particular library in the spirit of that enterprise.

¹ For further information write to: Miss E. Hoyt, Professor of Economics, Iowa State College, Ames, Iowa, U.S.A.

RECENT PAMPHLETS

General

AFRICAN WOMEN: A periodical issued by the Department of Education in Tropical Areas, London University, dealing mainly with the educational opportunities available to African women. Brief reports are given of the activities of African women in positions of political or administrative importance in the various territories. (price 1s.)

STUDENTS FROM THE COLONIES: A review of the conditions of Colonial Students in Britain, published by P.E.P., 16 Queen Anne's Gate, S.W.1. (price 2s. 6d.)

UNITED NATIONS TECHNICAL ASSISTANCE: Report by the Federation of British Industries, 21 Tothill St., S.W.1., on visits to the Technical Assistance Administration and the Food and Agriculture Organisation. (price 2s. 6d.)

South Africa

A SURVEY OF RACE RELATIONS IN SOUTH AFRICA 1953-1954: published by the South African Institute of Race Relations. (price 5s.)

NON-EUROPEAN POLICIES IN THE UNION AND THE MEASURE OF THEIR SUCCESS by Muriel Horrell:

published by the South African Institute of Race Relations. (price 5s.)

THE AFRICAN IN THE UNIVERSITIES: Survey of the facilities for Higher Education for Non-European students, written on behalf of the National Union of South African Students, Cape Town. (price 2s.)

THE CAPE COLOURED VOTE: published by Juta & Co., Ltd., on behalf of the United Party, being the draft report prepared to submission to the joint select committee of both Houses of the South African Parliament appointed to examine the proposed legislation affecting the Coloured voters in the Cape. (price 10s. 6d.)

THE MEANING OF EQUAL PAY FOR EQUAL WORK by Dr. Sheila T. van der Horst: published in the South African Journal of Economics by the Economic Society of South Africa.

THE WESTERN AREAS—MASS REMOVAL ?: Facts and viewpoints published by the South African Institute of Race Relations, with a foreword by the Bishop of Johannesburg. (price 2s. 6d., obtainable from the Africa Bureau.)

